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January 24, 2005

RECEIVED
JAN 25 2005
Department of Water Resources
Southern Region

Mr. Allen D. Merritt, P.E.
Southern Region Manager
Idaho Department of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380

Re: Application for Transfer No. 71132, Water Right No. 41-7030, et. al.

Dear Mr. Merit:

In a telephone status conference held January 13, 2005, with Special Master Terrance Dolan regarding the SRBA proceedings involving the water rights of Mr. Timothy P. Deeg, we were advised by Mr. Nick Spencer, attorney for the Idaho Department of Water Resources, that application for transfer number 71132 had been recently advertised and that protests had been filed. Apparently the notices and letters were sent to Brockway Engineering which had prepared and filed the application for Mr. Deeg. We requested and have now received copies of the protests of Warm Creek Irrigation Company and William Isaak and your letter of December 28, 2004, addressed to Mr. Deeg.

We request that the matter be scheduled for hearing at the earliest possible time. Please let us know how we may assist in the scheduling effort. Besides your and our schedules and those of the protestants, we will need to find a time convenient for Dr. Brockway since he is the expert who will need to testify on behalf of Mr. Deeg.

Thank you for your kind attention to this matter.

Yours very truly,



Kent W. Foster

c: Warm Creek Irrigation Company, c/o Duane H. Isaak, President
William Isaak