

LOON CREEK LAND COMPANY, LLC
4799 Balsam Drive
Park City, UT 94098
801-706-3154

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AUG 06 2014
WATER RESOURCES
WESTERN REGION

August 2nd, 2014

Steve Lester
Department of Water Resources
2735 Airport Way
Boise, ID 83705

Dear Mr. Lester

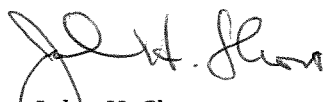
I am writing regarding the conditions attached to our permit 77-14353. Condition 5 specifies that we install a lockable device to suitably control our diversion. Our diversion does have a head gate that is connected to a 24" culvert that connects to our pipeline that delivers the water to our hydro units. Due to the small size of Deer Creek we regulate the water flow based on need up to our water right into the head gate using rocks in the stream to form a diversion. The head gate itself is used only to close down the diversion during the winter when our ranch is closed.

So we are unable to "lock" the diversion except in the winter. Therefore we are asking your agency to waive condition 5 while the diversion is in use. We will use a pad lock and chain to lock the head gate during the winter if you feel it is necessary.

I might add that the diversion is very secluded since you have to travel on 30 miles of dirt road to get to the ranch, go through three ranch gates traveling an additional 1.5 miles of ranch road and climb over a fence to get to the diversion itself. Also there are no other users of Deer Creek water so no one would benefit from tampering with our diversion.

Thank you for considering our request and we appreciate all the help your agency has provided us in the past.

Sincerely,



John H. Short,
Managing Partner