

SPECK & AANESTAD
A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

RECEIVED

JUL 09 2012

DEPT. OF WATER RESOURCES
SOUTHERN REGION

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

JAMES P. SPECK
jim@speckandaanestad.com
DOUGLAS J. AANESTAD
doug@speckandaanestad.com

July 5, 2012

Mr. Allen Merritt
Idaho Dept. of Water Resources
1341 Fillmore, Suite 200
Twin Falls, ID 83301

RE: *Smokey Dome LLC / Application for Permit 37-8859*

Dear Allen:

I represent Smokey Dome LLC, the current owner of Application for Permit 37-8859. Although the backfile for this Application is no longer posted on your web site, it appears from documents we obtained at the time of acquisition of the Application that two protests were filed. One was filed by Mr. Jerry Mobley, V.M. Diamond Ranch, the then-owner of property to the south of the proposed place of use of the Application. An entity related to Smokey Dome LLC (*i.e.* the entity ownership is the same) is now the owner of the V.M.. Diamond Ranch. We do not believe Mr. Mobley has any personal interest in pursuing his protest.

A second protest was filed by Stephen W. Smith and Pamela J. Smith. We believe Stephen W. Smith is deceased and do not have a current address or other way to contact Pamela J. Smith.

We would like to move this pending application forward. I propose that you notice the matter for a pre-hearing conference. If neither of the protestants show up for the pre-hearing conference or otherwise respond, it seems the Department could proceed to issue the permit.

Please contact me to discuss this matter. Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation



James P. Speck

CC: Client