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DEPT. OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RELINQUISHMENT OF PERMIT

I, SCI PROPERTIES LLC, hereby relinquish to the State of Idaho,
all my right, title and interest in and to Permit to Appropriate the Public Waters of the
State of Idaho, No. 37 - 21352.

Signed this _____ day of August, 20 11.

SCI PROPERTIES LLC

By:



Permit Holder(s)

R. S. Kopf, Executive Vice President

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S.26

3.42A

19.93A

25.4 Ac±

11.6 Ac±

3.2 Ac±

19.1 Ac±

2.0 A

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DEPT. OF WATER RESOURCES
SOUTHERN REGION

SPECK & AANESTAD
A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

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

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

August 15, 2011

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

Re: *SCI Properties, LLC/Permit 37-21352*
Our File No. 22/020158

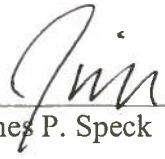
Dear Allen:

Enclosed is the original and one copy of the Relinquishment of Permit 37-21352 (the "Permit"). Condition 7 of the Permit requires my client to cease using portions of four water rights to irrigate 3.3 acres. When the Permit was issued the claims in the SRBA were modified accordingly and this mitigation use has been carried forward through the partial decrees issued in the SRBA and the water rights as combined and modified in recently approved Transfer (the rights listed in the Permit have been renumbered (37-22583, 37-22584, 37-22585 & and 37-22586). Now that the Permit is being relinquished and the proposed pond will not be built, my client desires to resume the irrigation of the 3.3 acres, the location of which is noted on the enclosed map. More accurately, my client will continue to irrigate the 3.3 acres since the pond was never constructed and thus the mitigation never required to be implemented.

Therefore, we ask that descriptions of these four water rights be changed to eliminate the mitigation use and change the irrigated place of use for 37-22583, 22584 and 22585 to 222.5 acres and for 37-22586 to 400.0 acres. In each case the number of irrigated acres in the SWSE of S.26 should be increased from 20.1 acres to 23.4 acres. Please call me right away if you have any questions.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS/j
(enclosures)
cc: client (w/ enclosures)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

August 29, 2011

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

SCI PROPERTIES LLC
C/O FREMONT PROPERTIES INC
ATTN J MARCUS BOMAN
199 FREMONT ST STE 2400
SAN FRANCISCO CA 94105

Re: Relinquishment of Water Permit 37-21352.

Dear Permit Holders:

The Department has received and processed your notice of relinquishment for Water Appropriation Permit 37-21352. The permit has been relinquished and is no longer in effect.

As a result of the relinquishment of water permit 37-21352, the enclosed Preliminary Order Rescinding Mitigation Requirement and Authorizing Resumption of Irrigation was issued by the department pursuant to section 67-5243, Idaho Code. Please note that the Order can and will become a final order without any further action by the Department as outlined in the attachment to this letter.

Enclosed you will also find print-outs of water rights 37-22583, 37-22584, 37-22585 and 37-22586 reflecting the changes outlined in the preliminary order. If you have any questions regarding this matter, please contact the Department.

Sincerely,

A handwritten signature in black ink, appearing to read 'Allen D. Merritt', with a stylized flourish at the end.

Allen D. Merritt
Regional Manager

CERTIFICATE OF SERVICE

I hereby certify that on August 11, 2011, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER RESCINDING MITIGATION REQUIREMENT AND AUTHORIZING RESUMPTION OF IRRIGATION** to the person(s) listed below:

**RE: Water Permit 37-21352
Water Rights 37-22583, 37-22584, 37-22585 and 37-22586**

**SCI PROPERTIES LLC
C/O FREMONT PROPERTIES INC
ATTN J MARCUS BOMAN
199 FREMONT ST STE 2400
SAN FRANCISCO CA 94105**

**JAMES P SPECK
SPECK & ANNESTAD PC
PO BOX 987
KETCHUM ID 83340**



**Trish Fawcett
Technical Records Specialist**