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Boise, Idaho 83712

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JUN 28 2010
DEPT. OF WATER RESOURCES
SOUTHERN REGION

June 25, 2010

Mr. Cory Skinner
Idaho Department of Water Resources
1341 Fillmore Street
Twin Falls, Idaho 83301

Dear Mr. Skinner:

Following our telephone conversation today, I am sending you photographs of Fisher Creek and its diversions. I am submitting these photographs in support of our water application (71-10928) for our property in the Sawtooth Valley (T8N, R14E, Section 3, NWSW).

Photos A through G were taken June 15, 2010 (six weeks after the start of the irrigating season).

Photo A – Fisher Creek above diversions looking downstream from our property.

Photo B – Fisher Creek looking upstream from the first two diversions. The diversion shown in the upper right flows down Fisher Creek. The diversion in the foreground flows down a ditch that leads to another set of diversions: one to Lawler and one to Humphreys.

Photo C – The first two diversions with water flowing down Fisher Creek (left) and down the ditch (right) leading to Lawler and Humphreys diversions.

Photo D – Upstream on the ditch leading to Lawler and Humphreys diversions.

Photo E – Water being diverted to Lawler and Humphreys properties. Note measuring device (far right) in Humphrey diversion.

Photo F – Measurement gauge in Humphreys diversion.

Photo G – Fisher Creek water flowing under culvert approximately one mile downstream from first two diversions and below any other surface water rights.

Photos AA through FF were taken October 14, 2009 (two weeks prior to the end of the irrigating season).

Photo AA – Fisher Creek downstream from our property but above diversions.

Photo BB – Fisher Creek at the first two diversions, with water flowing down Fisher Creek (left) and to ditch serving Lawler and Humphreys properties (right).

Photo CC – Ditch serving Lawler and Humphreys properties.

Photo DD – Lawler diversion.

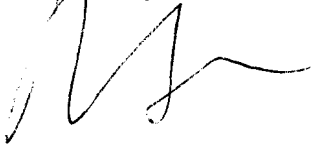
Photo EE – Humphreys diversion.

Photo FF – Fisher Creek water flowing under culvert approximately one mile downstream from first two diversions and below any other surface water rights (note similarity to Photo G).

I hope these photographs demonstrate that, at the dates taken, there was ample water to support our application for a surface right of 0.02cfs. We also understand if our application is approved it will be for a junior water right and that there may be times of the irrigation season when the water master concludes that Fisher Creek does not contain enough water to allow us to exercise our right.

If these photographs are insufficient evidence to support our application, we would be happy to continue to provide additional photographs as the 2010 irrigation season continues.

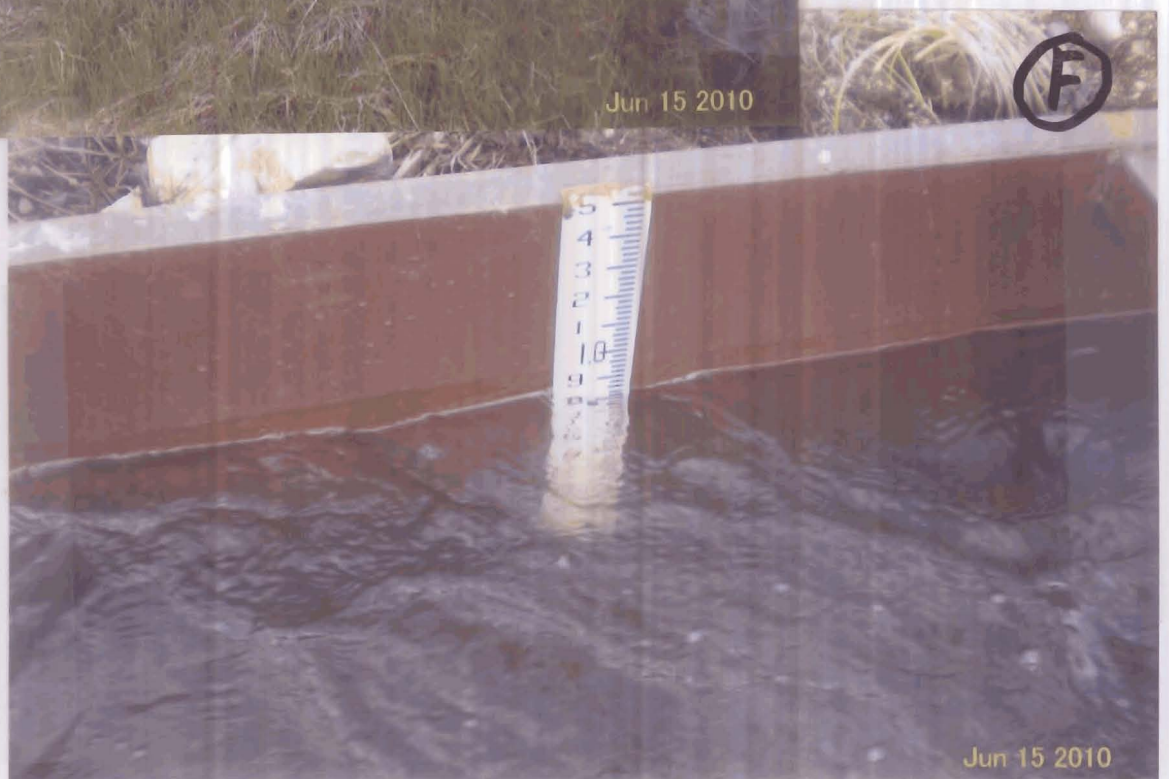
Sincerely,

A handwritten signature in black ink, appearing to be 'J. J. Smith' or similar, written in a cursive style.





Jun 15 2010



Jun 15 2010





