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ATTORNEYS AT LAW

DEPARTMENT OF
WATER RESOURCES

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December 30, 2009

Jeff Peppersack, Chief
Water Allocation Bureau
State of Idaho
Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, Idaho 83720-0098

Re: Permit No. 37-8205
Supplemental Field Exam

Dear Mr. Peppersack:

As a follow up to my email to you sent earlier today concerning the above referenced matter, I am delivering herewith a copy of the front page article in the *Idaho Mountain Express* published on October 7, 2009 reporting on an early snowstorm in the Wood River Valley. The Article reports 2" of snow fall between Friday (October 2) and Monday (October 5) morning in Ketchum; 8" of snow fall 12 miles south of Sun Valley; and 17" of snow fall on Bald Mountain.

As you are aware the property which is the subject of above referenced matter is located between Ketchum and Hailey allowing a conclusion that it sustained snow fall during the same period of between 2" and 8". In view of the fact that the snow melt system on the subject property was in place during this period we respectfully submit that it was put to beneficial use in melting the snow. Accordingly, we request that the license be approved for such use.

Sincerely,

LAWSON LASKI CLARK & POGUE, PLLC



Edward A. Lawson

Enclosures

cc: Charles G. Brockway, P.E. (w/encl.)
Client (w/encl.)

30587-024



Baldy gondola
nearly complete

Page A3

School district
defends Woodside

Page A4

IDAHO MOUNTAIN



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Express photos by Willy Cook

Nick Chickrell, of Arborcare Resources, gets ready to rescue a truck from under a large limb on Carbonate Street in Hailey. This was one of the many instances of damage caused by falling limbs during a snowstorm that brought about 8 inches of wet snow to Hailey Sunday and Monday.

Early snowstorm knocks down trees and power in Hailey, Bellevue

By JON DUVAL
Express Staff Writer

With a fitting touch of symmetry, summer ended much as it had begun: wet and cold. However, after seemingly non-stop rain in June ushered in summer, it was several inches of heavy snow that saw it to the door.

While a storm over the weekend left a scenic white blanket on Bald Mountain, the effects were less appreciated in the southern end of the Wood River Valley, where heavier snow caused severe damage to trees and, subsequently, property in Hailey and Bellevue.

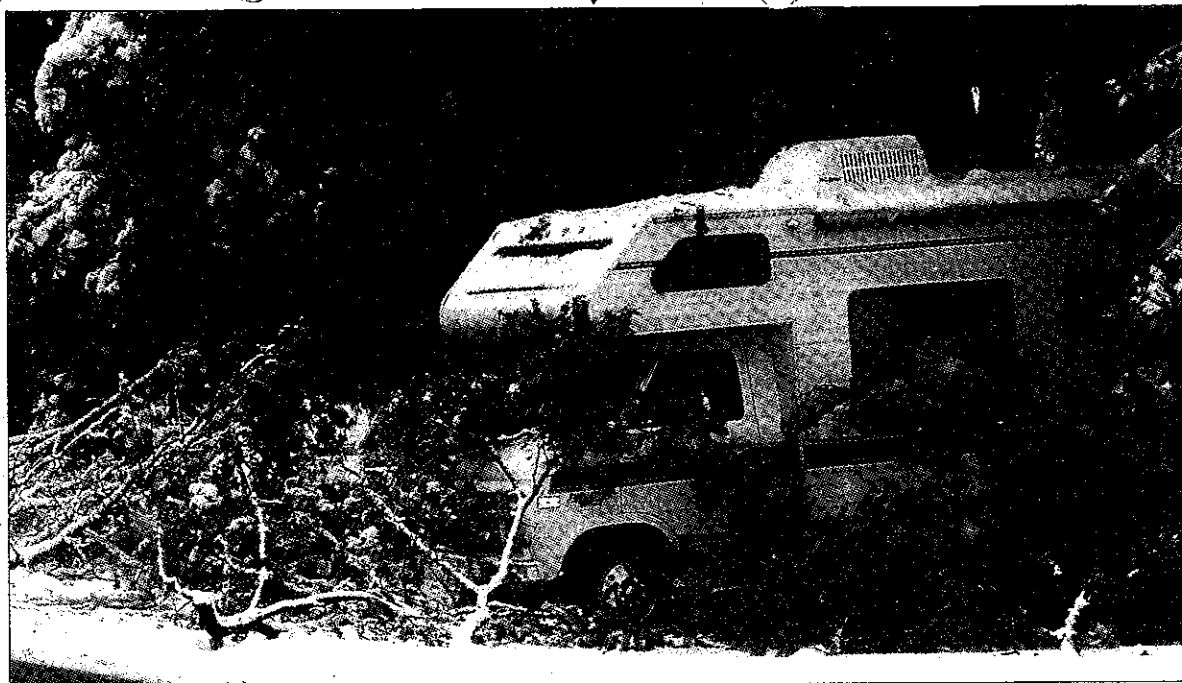
"I don't recall ever seeing a storm this early with the leaves still on the trees. It looked like a hurricane passed through," Hailey Mayor Rick Davis said. "Trees and limbs were down everywhere. The street crew was up at 4 a.m. on Monday and will likely be working through the rest of the week to clean everything up."

The Ketchum Ranger District reported that 2 inches of snow fell between Friday evening through Monday morning in Ketchum.

See STORM, Page A18



Hailey's assistant street superintendent, Gary Brockman, left, confers with Street Superintendent Kelly Schwarz on how to best go about cleaning up downed limbs on Main Street. Mayor Rick Davis said the city's street department will likely be busy through the end of the week cleaning up debris left over from the weekend storm.



This camper on Third Avenue in Old Hailey is evidence of the damage caused by heavy snow in the south valley. While the storm caused power outages in Hailey and Bellevue, it did little damage in Ketchum and Sun Valley.

Storm shocks residents in Hailey, Bellevue

Continued from Page A1

While there wasn't an exact tally for Hailey or Bellevue, numerous residents estimated snow depths at 8 inches just over a dozen miles south of Sun Valley.

Arborist Pat Rainey, owner of Hailey-based Alpine Tree Service, said he received more than 100 calls on Monday, indicating the extent of the damage from the wet, heavy snow.

"We saw more limb damage than whole tree failure," Rainey said.

Rainey said non-native trees that shed their leaves later in the year, such as Siberian elms and box elders, were more prone to damage because their branches are structured more vertically than those of other trees. He said that causes the trees to have weaker joints where the limbs connect to the tree.

While plenty of damage has already been done, Rainey said it's important to take steps to prevent further problems.

"A lot of trees are borderline right now—people need to drop the snow off the limbs because

if it freezes, the next snowfall will laden the limbs further, and with frozen wood it will be much easier for them to break," Rainey said. "Shaking the snow off will really help."

Though no accidents or injuries were reported, numerous vehicles and homes sustained damage from falling limbs.

The storm knocked out power to homes, schools and businesses in both Hailey and Bellevue. On Monday morning, Bellevue had more than 1,550 customers without electricity in an area that included the entire town as well as an area running south along state Highway 75 from Muldoon Canyon to Gannett Road.

The outage caused Bellevue Elementary School to send children home after power was not restored soon after the school opened. The Mountain School, a private school on the northern edge of Bellevue, was also without power and was closed Monday.

By early Monday afternoon, power had been restored to customers between Hailey and Golden Eagle Road. More than 1,600 customers were without power in the morning.

Two additional outages were also reported: one in the Fairfield area, affecting 473 customers, and the other in the Carey area, affecting 106 customers.

Hailey police advised people to exercise caution and to avoid walking or parking under trees still laden with snow. Hailey Police Chief Jeff Gunter said a lot of branches are down, especially in Old Hailey, and they're continuing to fall.

Jon Duval: jduval@mtexpress.com

Storm gives Baldy a head start

The first snowstorm of autumn deposited 17 inches of snow on top of Bald Mountain, according to Sun Valley Resort. The snow fell mostly over Sunday night and into Monday morning. Though Sun Valley is still planning on its traditional Thanksgiving Day mountain opening, spokesman Jack Sibbach said the ski season could start sooner if early snowstorms continue.