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Water Resources

RECEIVED
JUL 31 2009
DEPARTMENT OF
WATER RESOURCES

July 30, 2009

Aaron Marshall
Idaho Department of Water Resources
PO Box 83720
Boise, Idaho 83720-0098

Re: Peter M Thomas Trust LP /37-22255

Dear Mr. Marshall:

It is desired by Peter M Thomas Trust LP to place the irrigation portion of 37-22255 of 2.85 cfs into the Idaho Water Supply Bank. It is then desired by Peter M Thomas Trust LP to rent 2.85 cfs of irrigation from the Idaho Water Supply Bank. The quick and immediate processing of the lease and rental agreement is requested because the irrigation water with the current diversion system is not reaching the property owned by the Peter M Thomas Trust LP. Therefore, no irrigation is occurring at this time.

Transfer #75052 has been submitted to the Idaho Department of Water Resources to change the point of diversion to the location defined in the rental agreement. It is unclear why IDWR is delinquent on processing T#75052. The current water master has OK'd the transfer as well as the new POD with the new diversion system. The property owner of the new POD is allowing access to the river and the installation of the diversion structure. It is clear that Peter M Thomas Trust LP is not able to utilize the irrigation portion of water right 37-22255 at this time.

The lease and rental agreement from the Idaho Water Supply Bank is intended to be temporary until T#75052 is approved. It is anticipated to place this water right in the Idaho Water Supply Bank for the remaining irrigation season or 2009. Hopefully T#75052 will be approved before the 2010 irrigation season begins. When T#75052 is approved, the water will be released from the Idaho Water Supply Bank.

CHARLES E.
BROCKWAY,
PH.D., P.E.

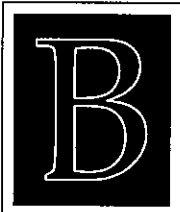
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Please copy our office on all correspondence regarding these lease and rental applications. If you have questions or comments, please call.

Sincerely,

Greg Sullivan E.I.T.

Cc: Peter M Thomas Trust LP

Enc: Application to Lease Water to WSB, Application to Rent Water from WSB, Property Deed, Memorandum from Tom Thomas, Nevada Certificate of Existence, Idaho Certificate of Authority, Consent to Water Right POD and Transfer, Diversion Structure conceptual design, map of POD, diversion system and POU

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