

RECEIVED

NOV 28 2008

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Rich Holt
33851 Blue Lantern St.
Dana Point, CA 92629

11-24-08

In reference to:

Rich Holt
759E 2700S
Hagerman, Id 83332

Dear Jeanie Robertson,

Thank you for the letter you sent to Kenny Crist and me on November 12, 2008. I am currently working on getting the items you have listed completed. I am hopeful of getting approval on the pond that Kenny and I would like to complete in the near future with your help, as well as the other agencies you have listed in your letter to us.

At this time we have changed our original plan and have decided to only make one pond, much smaller in size than the original request of adding two ponds. Due to the fact that I live almost a thousand miles away in California, and do not have a full time caretaker for the fish and my land, I do not feel good about having a substantial fish propagation operation at this point in my life. Kenny and I would like to have one pond which will be much easier to maintain (as shown on my sketch/diagram included), which will intersect both Kenny Crist's property and my property.

The pond will be used to propagate fish such as bass, bluegill and some trout. The water will be fed by Kenny's and my joint shares (2 CFS) of water from the Big Bend Ditch, as discussed with you this summer. In the spring of 2009, it is my responsibility to relocate the water pump for my pivot from Kenny's property (where it is currently located) to my property. At that time I will need a water source/pond to be able to feed the pivot for my crops. Up until now my pivot has been serviced from Kenny's fish propagation/pivot pond that is adjacent to his home. With the proper screen and filter system (identical to the one Kenny has), Kenny and I have both agreed that this pond would serve perfectly for the pivot's water supply next spring, without effecting the small amount of fish that we intend to grow in the pond (as his pond has been doing for years).

Due to the fact that Kenny and I are the last two land owners that receive water from the Big Bend Ditch before the water ends up in the Snake River, it would have no impact on other land owners in the area that get water from the ditch. The water that is not being used in the pond would be gravity fed back into the Big Bend Ditch, and carried to its final destination at the Snake River (below Kenny's home). The only difference in aside from constructing a small pond on a our property lines in our crop fields, is that the water for my pivot would be coming out of our joint pond that has fish in it, in lieu of coming out of his existing pond that has fish in it, which is adjacent to his home.

When I purchased the land from Kenny in early 2007, it was recorded in the title/deed that I would have to relocate the pond by spring of 2009, so that I would not have to access my pivot pump at its current location and disrupt the Crist's, whenever I needed to check on the pivot pump (ie: maintenance, turning it on/off, etc.)

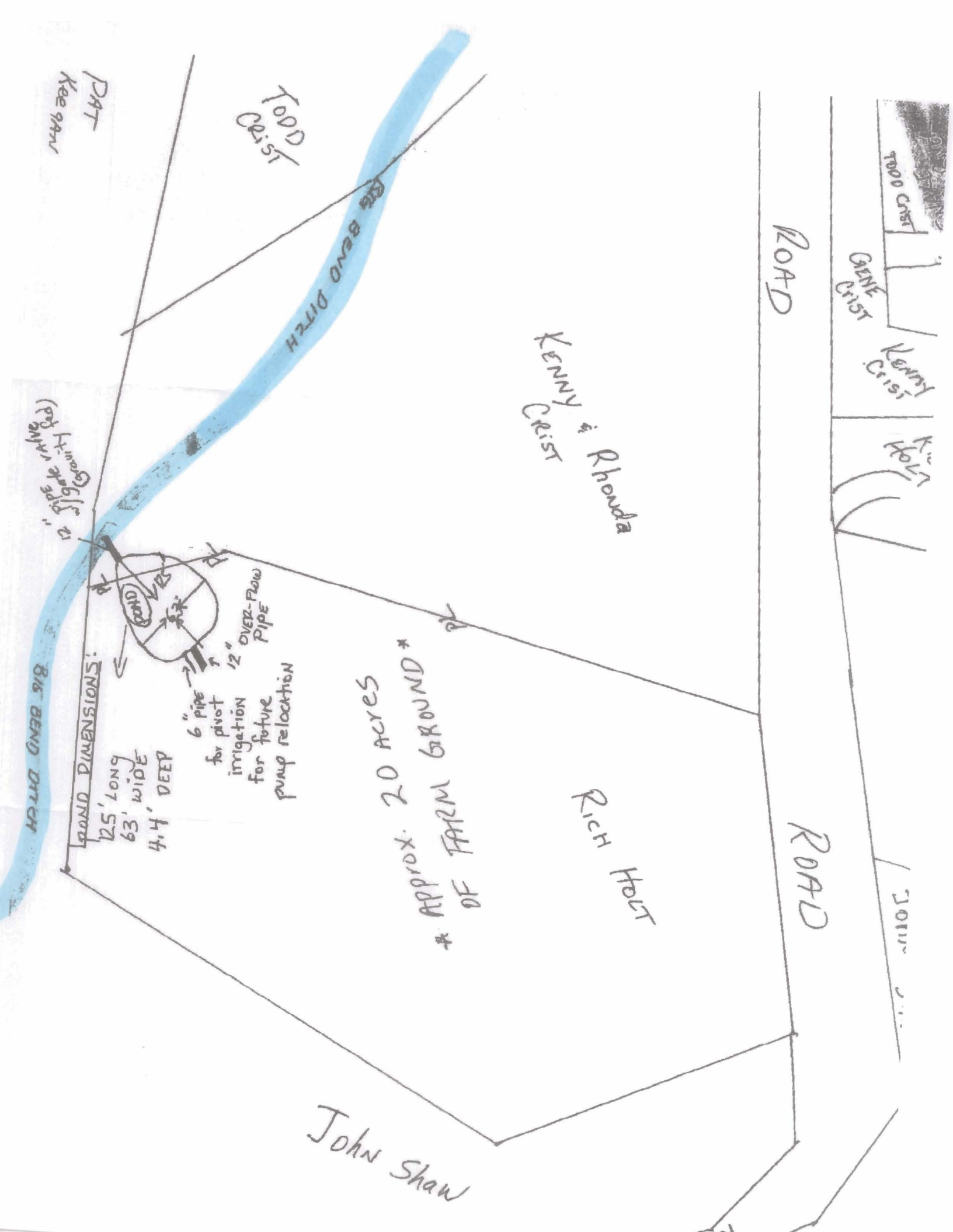
Please let me know if you have any questions or comments. I would like to pursue any permits that we might need to move forward with this project, should agencies deem permits necessary for this low impact, small irrigation pond that will have fish in it. Without this pond, I will be unable to obtain the necessary water for the pivot and my farming, which is very important to me. Fish propagation would be a nice hobby and interesting, however, the primary use of this single pond would be to supply my pivot with my water shares, starting spring 2009.

Thank you for your guidance and time.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Rich Holt', written over a horizontal line.

Rich Holt



ROAD

GENE Crist

Kenny Crist

Rich Holt

ROAD

JOHN ...

Kenny Crist & Rhonda

Rich Holt

John Shaw

TODD Crist

PAT Keenan

(pvt. H. owned 6 1/2" to 3 1/2" pipe)

LAND DIMENSIONS:
12.5' LONG
63' WIDE
4.4' DEEP

6" pipe for pivot irrigation for future pump relocation
12" OVER-FLOW PIPE

* APPROX. 20 ACRES OF FARM GROUND *

BIG BEND DITCH

POND