

A&B ENGINEERING

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WATER RESOURCES
WESTERN REGION

7/29/2008

Mr. Steve Lester
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705

Dear Steve:

I met at the proposed Soulen dam site with Ron Shurtleff, the Payette River Watermaster, so that he could become familiar with the site and get a better feel for what is proposed. I believe we have come up with an understanding that will enable him to remove his objections subject to our on site discussion. He was unaware that because of site conditions the size of the project has been drastically reduced. I will address his objections in the order that they were presented.

1. Such accounting could probably be accomplished, but the Soulen's have the only water right I was able to find on the stream and during the irrigation season it is rare for stream flow to leave the Soulen property. The Soulen's understand that their right would be subject to the call of earlier downstream storage rights if the call would result in benefit to the downstream right.
2. Affected downstream rights, if any, could be compensated by releasing the called water or perhaps cash compensation if mutually agreed upon.
3. The reservoir site as currently proposed would cover a swampy meadow so seepage and evaporation losses are unlikely to change significantly. The seepage and evaporation losses would probably be as great or greater just flowing downstream. If there is a specific proposal you or the Watermaster wish to put forth the Soulen's would be willing listeners.
4. Yes.
5. This is generally addressed in item 1 above; the natural flow rights belong to the Soulen's and during the irrigation season it would be very unusual for streamflow to leave the property even if not used for irrigation.

I hope that you can confirm my statements with the Watermaster and we can proceed. Thanks for your help.

Sincerely,

