



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

September 14, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

SMA LAND AND CATTLE LLC
1519 BRISTOL AVE
STOCKTON CA 95204

RE: APPLICATION FOR PERMIT 67-14758

Ladies and Gentlemen:

Our office has processed and advertised your application for permit for Recreation Storage ponds and stockwater. During this procedure, we solicit comments from the watermaster to determine if there is an adequate water supply for the proposed use. In the case of your application, the watermaster raised concerns about the affect of your water use on senior water right holders on Rush Creek.

Whenever we receive this type of comment from the watermaster, it is the applicant's responsibility to provide information showing that their new proposal will not adversely affect senior water rights. This information must be approved by the watermaster. Therefore, we are asking that you contact the watermaster and determine what necessary steps must be taken to move forward with the approval of this application. This process could include mitigating the use with senior water rights, or creating agreements or memorandums of understanding with the senior water right holders on the creek.

Please submit the requested information to allow final evaluation of your application to be completed. You may seek additional time to provide the information by making a written request to delay or interrupt processing. Your written response including the requested information, or a request for more time to seek the information, must be received by 11/14/2007. The application will be voided without a timely reply.

If you have any questions or concerns please contact me at the above address.

Respectfully,

A handwritten signature in black ink that reads "Daniel A. Nelson". The signature is fluid and cursive, with a long, sweeping underline.

Daniel A. Nelson
Sr. Water Right Agent