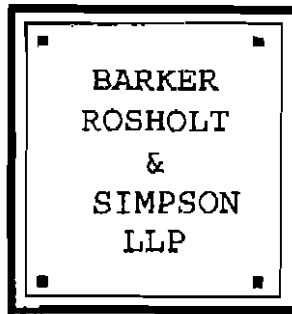


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July 16, 2007

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VIA FAX: (208) 334-2348

Re: Carl Smid - Application for Permit - Additional Information Request

Dear Dan:

Thank you for meeting with me on July 10 to discuss this matter. I have now had an opportunity to discuss the matter further with Chuck Cuddy and, subsequently, with Cindy Robertson at the Idaho Department of Fish & Game (IDFG).

In speaking with Cindy Robertson on July 13, it is apparent that IDFG has perhaps not had an opportunity to review the application for permit (as received by IDWR on April 30, 2007) and almost certainly has not reviewed the Frazil Ice Report prepared by Mr. Teasdale on or about April 25, 2007. Cindy Robertson suspects that those items may be on the desk of fellow IDFG employee Dale Allen in McCall, since she recently switched positions and is not the primary contact for water right applications any longer, Dale is. Cindy agreed to get back to me as soon as she finds out where the materials are and what a likely response timeframe would be.

Given these circumstances, we respectfully request that an additional period of time be provided, sufficient to allow IDFG to review the application and the Frazil Ice Report and provide a letter to the applicant, as requested by IDWR in the request for additional information.

Thank you for your attention to this matter and please let me know if you have any questions.

Sincerely,

NORMAN M. SEMANKO
Attorney at Law