

EXHIBIT 34



State Water Resources Control Board



Winston H. Hickox
Secretary for
Environmental
Protection

Division of Water Rights
1001 I Street, 14th Floor • Sacramento, California 95814 • (916) 341-5300
Mailing Address: P.O. Box 2000 • Sacramento, California • 95812-2000
FAX (916) 341-5400 • Web Site Address: <http://www.waterrights.ca.gov>

Gray Davis
Governor

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>.

OCT 29 2003

In Reply Refer to:331:YM:X3488

Mr. G. Scott Fahey
2787 Stony Fork Way
Boise, ID 83706

Dear Mr. Fahey:

APPLICATION TO APPROPRIATE WATER X3488, TWO UNNAMED SPRINGS (MARCO SPRING AND POLO SPRING) TRIBUTARY TO UNNAMED STREAM THENCE HULL CREEK THENCE CLAVEY RIVER THENCE TUOLUMNE RIVER IN TUOLUMNE COUNTY

The Division of Water Rights received your request to amend the pending application X3488. Accordingly, the following two points of diversion have been added to X3488.

Point of Diversion #2:

Unnamed Spring aka Marco Spring tributary to Unnamed Stream thence Hull Creek thence Clavey River thence Tuolumne River.

150 feet South and 1,500 feet west from the NE corner of Section 22 within NW ¼ of NE ¼ of Section 22, R2N, T17E, MDB&M.

Point of Diversion #3:

Unnamed Spring aka Polo Spring tributary to Unnamed Stream thence Hull Creek thence Clavey River thence Tuolumne River.

1,100 feet South and 850 West from the NE corner of Section 22 within NE ¼ of NE ¼ of Section 22, R2N, T17E, MDB&M.

The total quantity of water diverted by three springs will remain as 64.5 acre-feet per year.

If you have any questions, please call me at (916) 341-5362.

Sincerely,

ORIGINAL SIGNED BY

Yoko Mooring
Engineering Associate
Water Rights Processing

SURNAME YM:llv 10/22/03

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