



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C.L. "BUTCH" OTTER

Governor

GARY SPACKMAN

Director

May 23, 2013

ROY OBENDORF
G O INVESTMENTS LLC
24034 BATT CORNER RD
PARMA ID 83660

**RE: APPLICATION TO LEASE WATER RIGHT NO(S). 63-8701, 63-8645, 63-3405
TO THE WATER SUPPLY BANK WITHDRAWN**

Dear Applicant:

On May 22, 2013, the Department of Water Resources ("Department") received a written request to withdraw and refund associated fees for the applications to lease water right no(s) 63-8701, 63-8645, and 63-3405. **A request for a refund of \$750.00 receipt no. C097086, has been made.**

Please find the faxed copies of the water supply bank lease applications, which were received by the Department on May 1, 2013.

Please note that a water right is not protected from forfeiture unless it is accepted into the Bank or unless an exception or defense to forfeiture applies as described under Idaho Code § 42-223.

As a reminder for future rental/lease applications that you may submit, water supply bank rental applications do not allow for drilling of any new wells. IDAPA 37.03.09.045.01(b). Drilling permits will not be issued for construction of a well which requires another separate approval from the department, such as a water right permit, transfer, amendment or injection well permit, until the other separate permitting requirements have been satisfied.

If you have any questions, please contact me at (208) 287-4920.

Sincerely,

A handwritten signature in black ink that reads "Sandy Hemenway".

Sandy Hemenway
Sr. Water Resource Agent

Enclosures

c: Dana L Hofstetter, Hofstetter Law Office, LLC

Hemenway, Sandy

From: Hemenway, Sandy
Sent: Thursday, May 23, 2013 5:56 AM
To: Marston, Sascha
Cc: Skaggs, Pam; 'Dana Hofstetter'
Subject: RE: WSB Rental using existing well 63-8531
Attachments: DOC005.pdf; DOC006.pdf

Sascha,

Can you please refund the following C097086 for \$750 (See attached receipt). Also attached is a reference to the W-9s from Karla Hanson, in the event those need to be included.

I will be returning the faxed copies of the lease applications to T.O Investments, LLC, cc: Dana Hofstetter.

Thanks,

63-3405, 63-8645, 63-8701

Sandy

From: Dana Hofstetter [<mailto:Dana@IdahoWaterLaw.com>]
Sent: Wednesday, May 22, 2013 8:19 PM
To: Hemenway, Sandy
Subject: Re: WSB Rental using existing well 63-8531

Sandy,

It has been decided that the replacement well for 63-8531 will be drilled before deciding whether to re-apply to rent water to divert from this replacement well. I appreciate your help in clarifying this issue.

As you know, on May 1, 2013, on behalf of G.O. Investments, LLC, T.O. Investments, LLC and Marjorie Dorolene Obendorf Marital Trust No. 2, I filed three Applications to Lease Water Rights to the Water Supply Bank. Sinc, the Obendorfs likely will not be able to drill a new well in Lot 1, Section 4, Township 4 North, Range 5 West this year, I would like to request return of these three applications together with the filing fees asap.

Thank you,
Dana Hofstetter

On 5/21/2013 3:00 PM, Hemenway, Sandy wrote:

Dana,

I spoke with Jeff Peppersack and Shelley Keen, in reference to using the existing well 63-8531 as the proposed well. Jeff said he is less concerned about the well's existence once the water supply bank rental goes away. Once the water supply bank rental is accepted and signed, if you wish to apply for a permit to redrill your well at that time you can. So, go ahead and submit another rental application, using the existing well under water right 63-8531 as the point of diversion.

Request for withdrawal of Lease Applications and Refund.

In some cases, deepening may change the source to a separate aquifer that may raise some concerns. That may not be a problem in this case.

Sandy Hemenway

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