



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

PHONE: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C.L. "BUTCH" OTTER, Governor
GARY SPACKMAN, Interim Director

April 12, 2010

ORCHARD RANCH LLC
C/O NORMAN M SEMANKO
BARKER ROSHOLT & SIMPSON LLP
PO BOX 2139
BOISE ID 83701-2139

Re: Application for Transfer No. 73834

Dear Norm:

The Idaho Department of Water Resources (IDWR) requested additional information for the above referenced transfer application in November 2008. The applicant asked for more time in that regard. IDWR extended the deadline to August 2009. Not much has happened since then except for a few telephone calls.

The deadline to provide the requested information is long overdue. The applicant has not acted to maintain a viable application. Please consider this letter a notice of intent to reject the application. Alternately, the applicant may want to withdraw the application and request a refund of the \$690 filing fee. A withdrawal form is enclosed for your convenience. A refund should be requested in writing.

Please submit the requested information for application processing to continue. A request for more time in this matter should include information sufficient for IDWR to determine the applicant is moving ahead with the proposed project or amending the project based on new conditions. Your written response must be received within the next thirty (30) days. Without a timely reply, IDWR will issue a preliminary order to reject the application. The application fee will not be refunded for a rejected application. A rejected application may be re-filed when adequate information can be provided.

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

Sincerely,

Steve Lester
Water Rights Supervisor

Enclosure