



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

November 15, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

Steve Loomis
Sands LLC
7154 W State St #187
Boise ID 83714

Tim & Jennifer Swenson
50 Webster LN
Horseshoe Bend ID 83629

RE: Contested Application for Permit #65-23327- Sands LLC

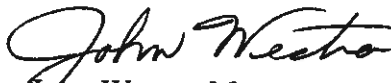
Dear Parties:

As you are aware, the above described contested application has been held by our office pending litigation on related matters. From information that has been provided, it is our understanding the litigation has been settled. The contest application needs to move forward if this is the case.

Each party, please provide this office in writing your status and intentions regarding the contested application by **December 15, 2010**. Should the protestant desire to withdraw the protest or the applicant withdraw their application, withdrawal forms are enclosed. A prehearing conference will be scheduled in the near future if the protestant wishes to continue the protest process.

If you have questions, please contact me at the Western Regional Office, phone 334-2190.

Sincerely,


John Westra, Manager

cc: L. Graves, SPF Eng.
Enclosures: withdrawal forms.