



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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October 19, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

Willowbrook Development
Richard W Stover Attorney
1111 W Jefferson ST
Boise ID 83702

Hillsdale Estates Homeowners Association Inc
Charles L Honsinger Atty
Ringert Law Chartered
PO Box 2773
Boise ID 83701

**RE: Contested Application for Transfer # 75912-Willowbrook
Application for Permit #63-33279-- Hillsdale**

Dear Parties:

On May 3, 2010, the above transfer application was protested by the Hillsdale Homeowners Assoc. On May 12th, representatives from the Hillsdale Homeowners Association met with Department staff regarding existing water right overlap/ownership for their permit application. There are interrelated matters in both applications. At that time, it was our understanding that parties were planning to work together in sorting out the overlap/ownership of the existing water rights and negotiate the contested transfer. Our office has not heard from any party since May.

Under our Appropriation Rules (IDAPA 37.03.08.40.01.d), an applicant may request in writing that commencement of processing their application be delayed for a period not exceed 1 year. Unfortunately with budget and staff reductions, our agency can no longer hold/catalogue inactive applications indefinitely. Applicants need to actively pursue processing of applications.

Please provide this office a written status of the negotiations relating to both applications. Also, address the progress/status of providing the additional information requested for permit application #63-33279 (my 04/16/2010 letter). The response should be submitted on or before **December 1, 2010**. An untimely or no response will result in the applications ordered void. If additional time is needed, requests up to one year will be considered contingent on parties showing good faith.

Should parties want to discuss the applications or need assistance with the water rights from our office staff, please contact me at the Western Regional Office, phone 334-2190.

Sincerely,


John Westra, Manager

Cc: E. Squires Hydro Logic, L Graves, SPF