

MOORE SMITH BUXTON & TURCKE, CHARTERED

ATTORNEYS AND COUNSELORS AT LAW
950 W. BANNOCK STREET, SUITE 520; BOISE, ID 83702
TELEPHONE: (208) 331-1800 FAX: (208) 331-1202 www.msbtlaw.com

LOREN W. ANDERSON
STEPHANIE J. BONNEY[™]
SUSAN E. BUXTON^{*}
PAUL J. FITZER
JILL S. HOLINKA
BRUCE M. SMITH
PAUL A. TURCKE[®]
CARL J. WITHROE^{®*}

JOHN J. MCFADDEN *Of Counsel*
MICHAEL C. MOORE[†] *Of Counsel*

» Also admitted in California
* Also admitted in Oregon
® Also admitted in South Dakota
™ Also admitted in Utah
† Also admitted in Washington

November 5, 2010

RECEIVED

NOV 08 2010

WATER RESOURCES
WESTERN REGION

Kay Walker
Senior Water Rights Agent
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

Re: Marion and Judy Groothuis - Applications for Extension of Time to Avoid
Forfeiture of Water Rights for Water Right Nos. 63-32403 and 63-32412

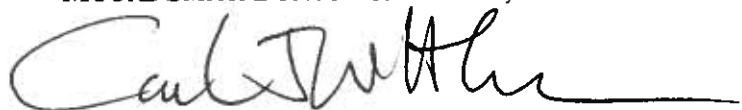
Dear Ms. Walker:

My clients, Marion and Judy Groothuis, have asked me to write on their behalf in response to your September 20, 2010 correspondence regarding the above referenced water rights. They understand from your letter that the "forfeiture clock" started anew upon the issuance of the partial decree, which was issued on June 15, 2010. They understand also that a decree issued for Water Right Nos. 63-33244 and 63-33247 on January 15, 2009 and hence, the forfeiture clock begins as of that date. Additionally, they understand that the prior owner of Water Right Nos. 63-33244 and 63-33247 received an extension of time and thus as a matter of law, cannot be extended again.

Thank you for your explanation. In light of the situation, my clients have asked me to formally withdraw their application for an extension of time to avoid forfeiture on the above-referenced water rights. They have asked me also to request a refund of their application fees. Thank you and have a great day.

Sincerely,

MOORE SMITH BUXTON & TURCKE, CHARTERED



Carl J. Withroe

CJW:kd
cc: Client