Grimm, Angie

From: Grimm, Angie
Sent: Wednesday, March 03, 2010 10:07 AM
To: 'Ed Squires'
Subject: RE: Pepsi Bottling Ventures of Idaho Transfer No. 74563

Ed,

Per your request, the deadline to submit the additional information for Transfer No. 74563 requested in my letter of December 23, 2009 has been extended to September 1, 2010. I appreciate your attention to this matter. I look forward to your response.

Sincerely,
Angie

Angela Grimm
Water Resource Agent, Sr
IDWR Western Region
2735 Airport Way
Boise, ID 83705
(208)334-2190 phone
(208)334-2348 fax

From: Ed Squires [mailto:ed@hydrologicinc.net]
Sent: Monday, March 01, 2010 11:04 AM
To: Grimm, Angie
Cc: Comstock, Ted
Subject: Pepsi Bottling Ventures of Idaho Transfer No. 74563
Importance: High

Hydro Logic, Inc.
1002 W. Franklin St. Boise, ID 83702 (208) 342-8369 Fax: (208) 342-3100 Cell: (208) 631-6781

March 31, 2010

Angela Grimm
Senior Water Resource Agent
Idaho Department of Water Resources
Western Regional Office2735 Airport Way
Boise, Idaho 83705-5082

Re: Application for Transfer No. 74563 in the Name of Pepsi Bottling Ventures of Idaho Inc.

Dear Angela:

I write in response to your letter dated December 3, 2010 concerning Application For Transfer No. 74563 and to memorialize our subsequent discussions on this matter. I provide the following brief outline of events that have taken place over the last two years:

1) Nagel Beverage Company filed a transfer in February of 2008 after signing into a water right Purchase and Sale Agreement with Greg Bullock of the proposed Hunter's Point Golf Community development.

2) The transfer went into a queue of transfer applications at the Department for processing.

3) While the transfer application was in queue, the Department placed a processing hold on transfers pending the final push to complete the SRBA.

4) While the NBC transfer was in queue, Hunter's Point declared bankruptcy locking up the purchase and sale agreement.

5) While the transfer was in queue and the bankruptcy was in the courts, NBC sold the bottling operation to Pepsi Bottling Ventures of Idaho, Inc.(PBVI).

6) PBVI was unaware of these issues when it purchased NBC.

7) With your letter of December 25, 2009, PBVI began looking into the circumstances surrounding the water right and bankruptcy.

8) PBVI is diligently working through the issues but has not yet gotten to the bottom of the bankruptcy.

Given the situation that has unfolded for PBVI, we would like to request additional time to research the Hunter's Point bankruptcy proceeding and its implications to the water right purchase and transfer application to be able to respond to your letter. Please grant PBVI a six month extension to provide the requested information.

Respectfully,

Ed Squires