

Lester, Steve

From: Cardwell, Dean [CardwellDean@stanleygroup.com]
Sent: Friday, January 08, 2010 1:45 PM
To: Lester, Steve
Subject: Idaho Development Services Preliminary Order
Attachments: 10_0107-IDWR-JohnWestra.pdf

Steve,

We received the latest letter regarding the preliminary order and have mailed off a response, see attached. I believe that the developer will also be sending you something, but due to the situation (you will understand when you read the letter) I wanted to be sure you had our request before Monday since that is the 14-day deadline.

Thanks.

Dean Cardwell, Senior Designer

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<<10_0107-IDWR-JohnWestra.pdf>>



Stanley Consultants INC.

A Stanley Group Company
Engineering, Environmental and Construction Services - Worldwide

January 7, 2010

John Westra
Manager, Western Regional Office
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Dear Mr. Westra:

Subject: Request for Reconsideration of the Preliminary Order in the matter of Application for Permit No. 63-32956 and Application for Transfer No(s). 74573 and 74574

Stanley Consultants has received your letter dated 28 December 2009 and would like to request that the preliminary order be reconsidered. This request is based on problems arising from issues related to the IDWR request for economic viability information as outlined in the letter from Mr. Steve Lester dated 21 September 2009.

In Mr. Lester's letter dated 21 September 2009 it was requested that the applicant supply information regarding the economic viability of the project. Stanley Consultants had contacted the applicant regarding this request and was informed that they were in the process of getting an appraisal of the property in accordance with a request from their lender. Based on the information received from the appraisal the applicant felt that the economic viability of the project was still good, and that the request from the IDWR would be addressed before the 60 day deadline. However, we have since learned that there are some issues developing between the applicant and the property's lender.

During the past month the situation regarding the ownership of the property has deteriorated substantially between the applicant and the project's lender. However, because we were not directly involved with the financial dealings of the project we can only tell you that our requests were met with statements from the applicant that the situation was being resolved and that the applicant was making offers to the lender in hopes to remain involved in the project.

It was not until very recently that we learned that the ownership of the project will be settled with some finality as the property is being repossessed by the lender and/or sold at public auction on January 12th. We are currently working to determine what is anticipated regarding the project ownership in an effort to be able to inform the new owner of the status of the project, of which these applications are foremost in the discussion. Obviously, with new ownership there will be definite changes in the economic status of the project and project owner.



John Westra
January 7, 2010
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Therefore, we would greatly appreciate a reconsideration of this preliminary order on behalf of whoever is the new project owner. Additionally, we would request a time extension so that we can determine the ownership and their plans for development of the project.

Sincerely,

Stanley Consultants, Inc.

Dean Cardwell
Sr. Designer

cc: Idaho Development Services
Stopello & Kiser

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