



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

September 30, 2009

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

DeRuyter Dairy
Attn: Andrew J Waldera
Moffatt Thomas Barrett Rock & Fields
PO Box 829
Boise ID 83701

RE: Notice of Intent to Void Application for Transfer

Application for Transfer #74630 Filed 01/13/2006

Dear Applicant:

Our office is currently reviewing dated transfer applications that have been filed with our agency. In early 2006, you submitted the above described application for transfer to change the place of use, nature of use, and period of use for water rights #57-2335, #57-7047, and #57-2292. Public notice of the transfer was published on 05/07/08 and 05/14/08. The notice drew protests from COCOA and Joe Weatherby.

From the telephone conversation on 11/21/08, a request was made to hold the application which has been honored. On 09/01/09, a telephone contact was made asking for the status and intentions of applicant regarding the transfer. A response has not been received.

If you desire our office to continue processing the transfer application, please notify this office of your intentions in writing by **October 30, 2009**. A pre-hearing conference will then be scheduled to address protestant concerns in early 2010. If you desire to withdraw the application, a withdrawal form is enclosed. The application will be voided without a timely written reply.

Should you have any questions, please contact me at the Regional Office, phone 334-2190

Regards,



John Westra, Manager

Enclosure: withdrawal form
Cc: COCOA, J. Weatherby