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February 19, 2009

Sharla Cox
Water Rights Administrative Assistant
Department of Water Resources
900 N. Skyline Dr., Suite A
Idaho Falls, Idaho 83402-1718

RE: 75-14461 and 75-14462

Dear Ms. Cox:

I am in receipt of your January 6, 2009 correspondence regarding scheduling a meeting re: the above applications. I must inform you that Mr. Larry Shiley, the other protestant in this matter, has been undergoing cancer treatment out of the state and does not expect to be back in pocket in Salmon until sometime in late April. I spoke with Mr. Shiley yesterday, and he noted to me that he had not yet received from you a request for available dates. While I have no schedule conflicts at this time, because of Mr. Shiley's health concerns, we would ask that IDWR postpone setting the meeting date until Mr. Shiley has finished his treatments and is back in Salmon full time. We expect that we should be able to finalize a date sometime in late April or Early May. Mr. Shiley is the property owner located immediately adjacent to the property (place of use) noted in Mrs. Maxwell's application.

As Mr. Maxwell noted to you, he is also out of the state until late April. I will visit with Bob Foster about this when I give him a copy of this letter. In the future, please use the address and/or telephone number above to contact me. I will in turn notify Attorney Don Carey on an as needed basis.

Sincerely,



Arden Arrington

Cc: Lawrence Shiley
Bob Foster

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Department of Water Resources
Eastern Region