



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

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

November 5, 2008

Sands, LLC
c/o Stoppello & Kiser
Attn: Jerry A. Kiser
620 W. Hays St.
Boise, ID 83702

COPY

Re: Application for Transfer No. 73847

Dear Mr. Kiser:

The Idaho Department of Water Resources (Department) is currently reviewing the above referenced application for transfer to change two water rights, 65-11141 and 65-2035. Additional information is needed to evaluate and process the above referenced application. As you are aware, documentation of ownership of the water rights proposed for transfer has not been provided to the Department. As indicated in the Department's September 18, 2008 letter to Timothy and Jennifer Swenson, which you were copied on, a Change of Ownership or Transfer of a water right can not be processed without proper ownership documentation. On August 22, 2008, the Department sent a letter requesting the required ownership documentation. A 30 day deadline to provide the information or a request for additional time was given at that time. As of today, the Department has not received ownership documentation pertaining to these water rights.

Please submit the requested information for application processing to continue. Information submitted regarding ownership to date indicates ownership of the water rights involved has not been definitively determined. Taking this into consideration, the maximum processing delay of six (6) months shall be given to submit the requested information. Your written response including the requested information must be received within six (6) months of the date of this letter, by **May 5, 2009**. Processing of the above referenced transfer application can proceed as soon as the requested information is submitted.

Without a timely reply, IDWR will issue a preliminary order to reject the application. The application fee will not be refunded for a rejected application. A rejected application may be re-filed when adequate information can be provided.

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you have any questions. Thank you for your attention to this matter.

Sincerely,

Angela M. Grimm
Water Resource Agent, Sr.