

e-mail 5/11/09

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May 11, 2009

VIA EMAIL/U.S. MAIL

Email: Allen.Merritt@idwr.idaho.gov

Mr. Allen Merritt, P.E.
Southern Region Manager
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

Re: IDWR Transfer No. 74871

Dear Mr. Merritt:

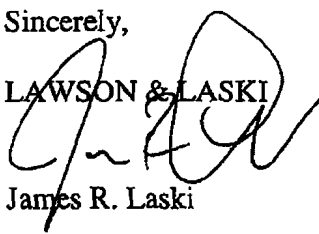
By letter dated May 6, 2009, I received notice from Mr. Rinker's attorney, Rob Williams, that the Rinker Trust planned to notify IDWR that it was withdrawing the above-referenced transfer application. However, I have not been copied on any such correspondence to IDWR.

Please be advised that under the terms of the water right purchase and sale agreement between South County Estates and the Rinker Trust, which is included in the application materials, the Rinker Trust does not have the ability to unilaterally withdraw this Transfer Application. As such, I would request that IDWR hold Transfer No. 74871 as pending while the parties work out their differences with respect to the contract, and jointly advise the Department of their intentions.

Please advise if you should need any additional information to process this request.

Sincerely,

LAWSON & LASKI


James R. Laski

JRL/dle

cc: Client
Daryl Fauth, Blaine County Title
Robert E. Williams, Esq.