



State of Idaho

DEPARTMENT OF WATER RESOURCES

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Governor

DAVID R. TUTHILL, JR.
Director

May 19, 2009

Robert E. Williams
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PO Box 168
Jerome, ID 83338-0168

James R. Laski
PO Box 3310
Ketchum, ID 83340

RE: Harry & Diane Rinker Revocable Trust Transfer No. 74871

Gentlemen:

As you know the Department processed the above referenced transfer. After the application was protested and then after the protest was withdrawn, the Department issued a Preliminary Order dated April 16, 2009 approving the application. On April 29, 2009 prior to the order becoming final, the Department received a timely "Petition for Reconsideration" filed by the applicant's attorney. On May 7, 2009 the Department received a response to the petition from the protestant's (Big Wood Canal Co.) attorney and a letter from the applicant's attorney withdrawing the application. On May 11, 2009 the Department received a letter from the attorney representing the seller of the rights being transferred lodging an objection to the withdrawal and requesting the Department hold the application.

The Department has held the application and sought clarification of the applicant's desire. Today the Department received a letter confirming the applicant's desire to withdraw the application. Today the Department also received a letter from the seller's attorney continuing their objection.

After consultation with the Department's assigned Attorney General the Department accepts the applicant's withdrawal. The Department considers the application withdrawn and the preliminary order approving the transfer no longer in effect.

Respectfully,

Allen Merritt, PE
Southern Region Manager

CC: IDWR - Jeff Peppersack, Pam Skaggs, John Homan
Craig Hobdey