



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

September 24, 2008

Paul Duncan
100 S 750 E
Rupert, ID 83350

RE: App For Transfer 74345, East Ridge Milk LLC ; Your Letter Dated 9-17-08

Dear Mr. Duncan;

I have discussed your letter with our administration, and have been told that we cannot hold your transfer for five years based on the idea that you MIGHT build a dairy during that time. We could process and possibly approve the transfer with a 1-year development period, but that may or may not do you any good. It would also leave a question as to your right to continue irrigating your existing land that would supposedly be dried up under the transfer. You can provide a written request to withdraw the application and obtain a refund of your filing fee, or we can continue to process the application. Your filing fee will not be refunded if the application is approved or denied. Let me know what you want us to do.

Regards,

James E. Stanton
Sr. Water Resource Agent