

HOFSTETTER LAW OFFICE

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October 14, 2005

RECEIVED

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WATER RESOURCES
WESTERN REGION

Via Facsimile and U.S. Mail

Steve Lester
Water Rights Supervisor
Western Region
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

Re: Ted &/or Sandy Cantrell
Applications for Transfer of Water Right Nos. 57-7100 and 2-202A

Dear Mr. Lester:

I assisted Mr. and Mrs. Cantrell with preparation and submission of the Applications for Transfer of Water Right Nos. 57-7100 and 2-202A. I write in response to your September 19, 2005 letter inquiring as to whether the processing of the Transfer Application for Water Right No. 57-7100 should be delayed although it strictly is not subject to the Idaho Department of Water Resources' ("IDWR") transfer processing hold policy since Water Right No. 57-7100 already has been decreed in the SRBA.

The Cantrells have installed pivots and have been leasing their water rights through the Water Supply Bank in an attempt to cover the changed places of use. Ms. Bridge Clark of IDWR informed the Cantrells that the Water Supply Bank could not be used indefinitely in lieu of filing a formal Transfer Application. Accordingly, to the extent that the processing of both Transfer Applications is delayed there likely will be the need for the Cantrells to continue to lease their water rights through the Water Supply Bank again next year. The Cantrells filed separate Transfer Applications for the two water rights in an

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attempt to facilitate the processing of the Transfer Application at least for the water right that had been decreed in the SRBA. To the extent that Transfer processing will be delayed for both rights, the Cantrells wish to confirm that IDWR will not object to the Water Supply Bank procedure being utilized again next irrigation season as necessary.

Please let me know if you have any further questions about this matter. Thank you.

Sincerely,

HOFSTETTER LAW OFFICE, LLC

A handwritten signature in black ink, appearing to read "Dana L. Hofstetter", with a long horizontal flourish extending to the right.

Dana L. Hofstetter

cc: Cynthia Bridge Clark
Ted and Sandy Cantrell
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