

May 17, 2007

RE: Application for Transfer, Logan Robinson
30 day return Notice

Mr. David R Kress
Maguire & Kress Law Offices
PO Box 4758
Pocatello ID 83205-4758

Dear Mr. Kress:

In April 2005 you submitted an application for transfer on behalf of Logan Robinson proposing to change the place of use for 3.5 acres under water right 29-4393. Our records indicate Roger Warner and yourself corresponded on several occasions in an effort to clear the way for processing of this application. In his letter dated January 11, 2006, Roger Warner identified the issue of overlapping water right 29-7700 and stated as proposed the transfer would result in "*an enlargement in use of the original right,*" as spelled out in 42-222(1) of the Idaho Code. If the enlargement issued could not be resolved Roger asked that you request a withdrawal of the transfer. To my knowledge neither of these has occurred.

The purpose of this letter is to inform you the Department will continue to hold the application until June 18, 2007. If by that date we have not received a proposal resolving the enlargement issue the will be returned and a request to refund the filing fee initiated.

Naturally if you have questions feel free to contact this office.

Respectfully yours,

Ernest Carlsen
Water Resource Program Manager

cc: Ray Williams