



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

June 24, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

MC DEVITT AND MILLER LLP
ATTN CHAS MC DEVITT
PO BOX 2564-83701
BOISE ID 82702

COPY

***RE: APPLICATION FOR TRANSFER FOR DON K. WEILMUNSTER
FOR WATER RIGHTS 65-2887 AND 65-7346***

Dear Mr. McDevitt:

On February 10, 2005, you filed a transfer on water rights 65-2887 and 65-7346, on behalf of your client Don K. Weilmunster. During the review process, a question arose about the portion of the land listed in the transfer that was previously owned by Richard and Patricia Wilcomb. Mr. Weilmunster had secured a Quit Claim Deed for the Wilcomb's portion of the property. However, the department no longer accepts Quit Claim Deeds without secondary confirmation of the ownership of the property. The department's ownership documentation showed that the Wilcombs are still listed as the owners of this property. I called the Boise County Assessor, and their representative confirmed that the Wilcombs are still listed as the owners of the property.

On April 18, 2005, I contacted you and informed you by telephone of this discrepancy. You told me that you would get the situation rectified with the Boise County Assessor, and provide me with some type of documentation showing that Weilmunster is now the sole owner of the property. This confirmation would need to be in form of a Warranty Deed or statement from the county confirming Mr. Weilmunster's sole ownership.

Typically, we allow 30 days for this type of information to be submitted to the department before returning the application. However, I did not formally address this request for information by letter. Our office cannot proceed with processing until we receive a warranty deed or proof from the county that Weilmunster is the current owner of the property. Whereas I have not received this information or been contacted by you for some time, I must now formally request that this information be submitted to our office.

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Weilmunster

The Department will hold further processing of your application until 7/24/2005 to allow submittal of the required information. Additional time may be granted by the Department upon receipt of a written request and sufficient justification for an extension. After that time, if adequate information is not received, the Department will issue a preliminary order to reject or deny the application.

If you have any questions or concerns please contact me at the above address.

Respectfully,

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

Daniel A. Nelson
Sr. Water Right Agent