

RECEIVED

DEC 23 2004

DEPARTMENT OF
WATER RESOURCES

Laura E. Burri
Jeffrey R. Christenson
David P. Claiborne
D. Blair Clark
S. Bryce Farris
David Hammerquist
Charles L. Honsinger
James P. Kaufman
Jennifer Reid Mahoney
James G. Reid
Daniel V. Steenson
Allyn L. Sweeney

William F. Ringert, of Counsel
Samuel Kaufman (1921-1986)

RINGERT
 **CLARK**
CHARTERED
LAWYERS

December 22, 2004

Steve Lester
Lori Graves
Department of Water Resources
Western Regional Offices
2735 Airport Way
Boise, Idaho 83705-5082

RECEIVED

DEC 23 2004

WATER RESOURCES
WESTERN REGION

Re: Amended Application for Transfer filed by The Terteling Company, Inc.

Dear Steve and Lori:

Pursuant to our recent conversations, please find enclosed the above referenced Amended Transfer Application. As you will recall, we amended the Application for the following reasons: (1) to correct the location of the newly proposed "Greenhouse Well"; (2) to remove proposed "domestic" uses in T04N R02E, Section 22 SWNE, SWNW and Section 21 NESE; and (3) to explain the proposed new "heating" uses in detail. To that end, I request that you pay particular attention to the "Narrative" portion of the Amended Application, and contact me with any further questions or concerns. The documents and maps attached to the original transfer remain valid. However, you also requested a map showing the distribution system on the Terteling Ranch - such a map is attached for your review.

In an effort to prevent a protest of its application, my client has expended considerable energy and resources in an attempt to provide Edwards Greenhouses with all information necessary to evaluate the transfer application, and has met with and offered to meet with Edwards' principles and/or representatives on several occasions. Edwards Greenhouses will be copied with this letter, and my client's offer to meet with Edwards Greenhouses to discuss its concerns regarding this transfer remain open.

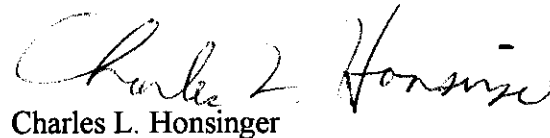
Despite The Terteling Company's efforts, it has been unable to reach an agreement with Edwards that it will not file a protest to my client's application. Moreover, Edwards has been unable or unwilling to fully articulate its concerns regarding the application to us. Therefore, because the normal functions of a prehearing conference have already been accomplished, in the event Edwards files a protest, my client requests that this matter proceed immediately to hearing as a prehearing conference will simply be duplicative of efforts to settle that have already been made. The Terteling Company remains open to discussing this application with Edwards at any

Steve Lester
Lori Graves
December 22, 2004
Page 2

time, and invites Edwards and its counsel to contact us to set up such a meeting.

Should you have any questions or concerns regarding this application, please feel free to contact me with the same.

Sincerely,



Charles L. Honsinger

enclosures

cc: Tom Terteling
Ed Squires
Dana Hofstetter