

**Lester, Steve**

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**From:** Lester, Steve  
**Sent:** Friday, March 26, 2010 3:19 PM  
**To:** 'semanko@rmci.net'  
**Subject:** RE: Application 63-32703  
**Attachments:** Active appls status table.docx

REPLY DUE 9/26/2010

Norm:

This email confirms additional time for application 63-32703 as outlined in your email letter. The deadline for any information is extended to September 26, 2010. Of course, as you noted, the applicant can respond prior to that date without any special processing steps required.

Please let me know if you need more information in this regard prior to the new deadline. Thank you for your efforts.

Enclosed is a table of active applications for projects for the vicinity in question. The applications are listed in priority order. Thought you might like a copy of this.

Steve Lester  
Water Rights Supervisor  
IDWR Western Region

-----Original Message-----

**From:** semanko@rmci.net [mailto:semanko@rmci.net]  
**Sent:** Friday, March 26, 2010 2:52 PM  
**To:** Lester, Steve  
**Cc:** Roxanne Brown  
**Subject:** Application 63-32703

March 26, 2010

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

Re: Application 63-32703

Dear Steve:

Pursuant to your letter of January 27, 2010, and on behalf of our client, Orchard Ranch, LLC, we would like to request more time to provide a response to the questions posed in that letter and your letter of January 19, 2010, including making the necessary and appropriate amendments to the application.

We will, of course, address the amendments suggested in your letters and provide the other required information. Also, as you and I discussed by phone, the applicant is exploring additional, more fundamental amendments, including the possibility of converting all or a portion of the proposed municipal use to some other purpose, possibly irrigation. Given the number of folks involved in that decisionmaking process and the investigations that are currently ongoing with regard to the most feasible use(s) and configuration for the project, the applicant needs more time.

Accordingly, we request an extension of time for an additional 180 days pursuant to the terms of your letters. Alternatively, we request that processing of the application be delayed or interrupted for a period of six (6) months, pursuant to Rule 40.01.d of the Department's Water Appropriation Rules. In either case, the applicant reserves the right to amend the application and/or submit the required information at an earlier time, if at all possible. We understand that this is permissible in either case and that processing can proceed forward as soon as this occurs.

We request your favorable consideration of our request and look forward to hearing back from you.

Sincerely,

Norman M. Semanko  
Attorney at Law  
Of Counsel  
Barker, Rosholt & Simpson, LLP  
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[semanko@rmci.net](mailto:semanko@rmci.net)  
(208) 863-7921

cc: Roxanne Brown, SPF

Sent via BlackBerry by AT&T