

Dec 18, 2023

DEPARTMENT OF
WATER RESOURCES

Albert P. Barker, ISB #2867
MARTEN LAW LLP
101 S. Capitol Blvd., Ste. 305
P.O. Box 2139
Boise, Idaho 83701-2139
Telephone: (208) 336-0700
Facsimile: (206) 237-6069
Email: abarker@martenlaw.com

Attorney for CS Property Development, LLC

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION FOR
PERMIT NO. 63-3013, 63-3014, 63-7005B,
63-7042B, 63-7047, 63-7053, 63-7055A, 63-
7055C, 63-7055D, 63-7064A, 63-7064B, 63-
7078B, 63-7755B, 63-8130B, 63-8435, 63-
9243, 63-9359, 63-12461 and 63-12470

**NOTICE OF WITHDRAWAL OF
PETITION FOR PARTIAL
FORFEITURE**

In the name of the City of Boise

WHEREAS, on October 4, 2022, Petitioner CS Property Development, LLC filed a Petition for Partial Forfeiture of certain water rights described in the caption above, which rights are held in the name of the the City of Boise (hereafter “Water Rights 63-3013 *et al*”).

WHEREAS, CS Property Development, LLC and the City of Boise entered into a Stipulation and Settlement Agreement and Joint Motion for Withdrawal of Protest in the Matter of Application for Permit No. 63-35094, in the name of CS Property Development, LLC. This Stipulation and Settlement Agreement was executed by counsel for CS Property Development LLC and the City of Boise in January 2023.

WHEREAS, the Stipulation and Settlement Agreement provided that, if the Department of Water Resources approved CS Property Development, LLC’s water right application 63-35094, with the conditions in the Stipulation and Settlement Agreement, then CS Property

Development, LLC would withdraw its Petition for Partial Forfeiture of the City of Boise's Water Rights 63-3013 *et al.* without prejudice.


WHEREAS, on September 11, 2023, the Idaho Department of Water Resources issued a permit approval notice and permit to CS Property Development, LLC in the Matter of Application for Permit No. 63-35094.

WHEREAS, the conditions required in the Stipulation and Settlement Agreement have been satisfied by the Department's issuance of Permit No. 63-35094 to CS Property Development, LLC.

NOW THEREFORE, based upon the Stipulation and Settlement Agreement between the City of Boise and CS Property Development, LLC, CS Property Development LLC hereby gives Notice to the Department that it is hereby withdrawing its Petition for Partial Forfeiture in the matter of the City of Boise's Water Rights 63-3013 *et al.* without prejudice.

DATED this 18th day of December, 2023.

MARTEN LAW LLP



Attorneys for CS Property Development, LLC

CERTIFICATE OF SERVICE

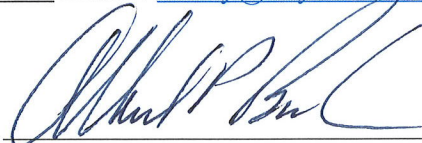
I HEREBY CERTIFY that on this 18th day of December, 2023, I served a copy of the foregoing **NOTICE OF WITHDRAWAL OF PETITION FOR PARTIAL FORFEITURE** by the method indicated below, and addressed to the following:

Idaho Dept. of Water Resources
322 E Front St
Boise, Idaho 83720-0098

☐ U.S. Mail
☐ Hand Delivery
☐ Facsimile
☒ Email: file@idwr.idaho.gov

Darrell Early
City of Boise
P.O. Box 500
Boise, ID 83701

☐ U.S. Mail
☐ Facsimile
☐ Overnight Mail
☒ Email: dearly@cityofboise.org



Albert P. Barker