



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION • 2735 W AIRPORT WAY • BOISE ID 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: idwr.idaho.gov

Brad Little
Governor

GARY SPACKMAN
Director

November 24, 2020

MUSSELL CONSTRUCTION
C/O MIKE MUSSELL

RE: Contested Application for Permit No. 63-34962

Dear Applicant:

Enclosed is a copy of the protest filed against the issuance of the above-referenced application. As part of the application process, the following are options available for resolution of contested (protested) applications:

-**Direct contact** with the protestant to determine what is being disputed in the application and parties attempting to resolve the protest. Sincere conversation between the parties prior to initiation of formal proceedings can often resolve protest.

-**Formal Proceedings** consist of a pre-hearing conference & hearing through the water appropriation statute/rule process. A pre-hearing conference identifies the protest issues and reviews the resolution possibilities with the parties. If the issues cannot be resolved, a formal hearing will be scheduled.

-**Mediation** through a certified professional mediator. The advantages can include: reduced costs and time that are associated with formal proceedings, the ability to address non-water concerns, more influence over a final settlement, and fast track processing by the Department for parties reaching a mediated agreement. If you are interested in this option, please contact our office for details.

Please consider with the protestant the best option for resolution of the contested application.

The Department of Water Resources may prepare to schedule a prehearing conference in the matter of the above referenced application for permit, which has been protested.

Please use the enclosed calendars to identify all days you would be available for a potential prehearing conference by phone or in office for this protested application. Please provide your calendar response by **December 11, 2020**.

If you would like additional information, or need to further discuss the process, feel free to contact the Western Regional Office, phone 334-2190.

Sincerely,

Anna Kaiser
Water Resource Agent

Enclosures: (1) Protest
(1) Prehearing Availability Calendar

CC: Bryce Farris – Sawtooth Law Offices PLLC