



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

07/31/2018

HARRY BETTIS
PO BOX 7
EMMETT ID 83617

RE: Contested Application for Permit No. 63-34497

Dear Applicant:

Enclosed is a copy of the protest filed against the issuance of the above-referenced application. It is my understanding that you have been in contact with the protestant and are working on resolving the issues. Sincere conversation between the parties prior to initiation of formal proceedings can often resolve protest(s). If the protest has not been resolved in one (1) month I will contact you and the protestant(s) to determine the best option to proceed. As part of the application process, the following are options available for the resolution of contested (protested) applications:

-Direct contact

Communication with the protestant(s) to determine what is being disputed in the application. The parties can work together to resolve the protest.

-Formal Proceedings

This consists 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

Using a mediator can reduce costs and time that are associated with formal proceedings. It can also improve the ability to address non-water concerns 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.

If at any time in the next month you are able to resolve the protest(s) please submit any supplemental information and signed agreements. If through communication with the protestant(s) it is determined more formal proceedings are required contact me and they can be scheduled. If you need additional information or need to discuss the contested cases process further, feel free to contact me at the Western Regional Office, phone 334-2190.

Sincerely,

Phill Hummer
Water Resource Agent
Idaho Department of Water Resources
Email: phill.hummer@idwr.idaho.gov

cc: David Shaw, ERO Resources Corp
Bill Bosworth, IDFG
Enclosures: (1) Protest filed 07/25/2018