

Prehearing Conference – Information Handout
Schwartz Transfer No. 78950 of Water Right No. 67-195

Purpose of Prehearing Conference

- ☐ Formulate and simplify the issues
- ☐ Discuss and propose settlement
- ☐ Address other matters that may expedite settlement
- ☐ Schedule deadlines, hearings, discovery

Conference Conduct

- ☐ Do not interrupt someone who is speaking
- ☐ Direct your wish to speak to the Department representative for acknowledgement
- ☐ If you have exceeded your time allotted or have drifted away from the subject, the Department representative may stop you.
- ☐ Be respectful of the process and other participants

IDWR Evaluation Criteria for Application of Permit

- ☐ Will the proposed use reduce the quantity of water under existing water rights?
- ☐ Is the proposed water supply sufficient for the purposes intended?
- ☐ Is the Application made in good faith or delay/speculation?
- ☐ Does the applicant have sufficient financial resources?
- ☐ Will the proposed use conflict with the local public interest?
- ☐ Will the proposed use be contrary to the conservation of water resources?

What the Department can do

- ☐ Place conditions on permits to appropriate water
- ☐ Acknowledge agreements between parties
- ☐ Enforce statutes re illegal diversions, issue NOVs, initiate actions seeking injunctive relief & obtain cease and desist orders

What the Department cannot do

- ☐ Place irrelevant conditions on permits
- ☐ Deny an application if the statutory evaluation criteria are met
- ☐ Decide trespass/ right-of-way issues

The applicant has the burden of proof and must provide IDWR with information sufficient to evaluate these criteria.

NOTES:

Idaho Department of Water Resources



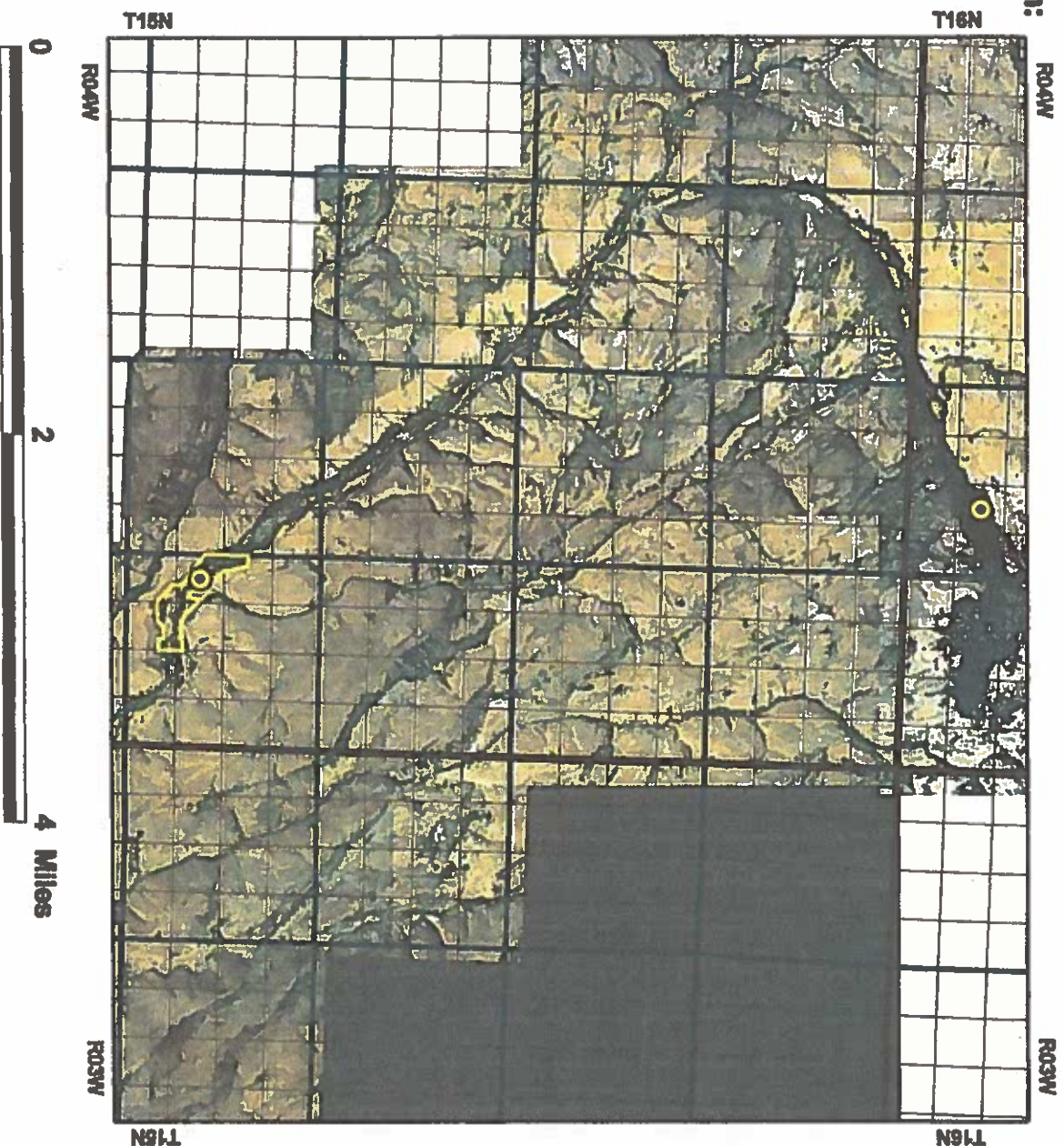
SRBA Recommendation:
67-195
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Washington County
IDWR Basin 67



Prepared by S. Egbert
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1987/88 Aerial Photography