



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 18, 2013

BRENT FUNK
CHALET FUNK
2786 ROCK CREEK RD
HANSEN, ID 83334

RE: Withdrawal of Protest against Transfer No(s). 78376

Dear Applicant(s):

The Department of Water Resources has received withdrawal(s) of protest against the above referenced application. Withdrawals have been received from the following protestants:

- 1) LOIS M WILLIS

The proposed "Default Order" as outlined in the notice sent July 12th, 2013 will not be issued.

Included with the withdrawal of protest was a statement to the department that the areas being "set aside" have never been farmed. Please be advised this issue should have appropriately been brought up during the Snake River Basin Adjudication process. The department is legally bound by the partial decrees issued beginning in 2009 or later. Since a lapse of 5 years of non-use has not occurred since the issuance of the partial decrees, forfeiture of the water rights is not an issue the department can consider in this matter at this time.

The application does not have any remaining protests; therefore, the department will take the steps necessary to bring the application to a final resolution.

Please contact this office if you have any questions regarding this procedure. Information about water rights and other matters administered by this agency is also available on the Internet at www.idwr.idaho.gov.

Sincerely,

Allen Merritt
Southern Region Manager