



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

August 31, 2012

ARK PROPERTIES INC
11204 N BAR 21 DR
GLENS FERRY ID 83623

SPF LORI
SPF WATER ENGINEERING
300 E MALLARD DR STE 350
BOISE ID 83706

Re: Contested Application for Transfer No. 77754 —Ark Properties Inc

Dear Applicants:

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(s) 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(s).

-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 is preparing to schedule a pre-hearing conference in the matter of the above referenced application for permit, which has been protested. Attached are calendars for the months of December, 2012, through February, 2013.

Please indicate the dates in which you are *available* for this hearing. I have indicated the dates that are *unavailable*, as shown on each calendar. Please return the calendars to IDWR, *Attn: Rachel Sommer*, by October 1st, 2012.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Rachel Sommer". The script is cursive and fluid.

For:

JOHN WESTRA
Western Regional Manager

Cc: Nick & Elizabeth Nettleton

Enclosures: Protest copy
Copy of protests filed
Calendars for December, 2012, through February, 2013.



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August 31, 2012

NICK & ELIZABETH NETTLETON
18542 S/E WILSON RD
GLENS FERRY ID 83623

Re: Contested Application for Transfer No. 77754 —Ark Properties Inc

Dear Protestants:

This office acknowledges receipt of your protest to 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(s) 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(s).

-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 applicant the best option for resolution of the protested application.

The Department is preparing to schedule a pre-hearing conference in the matter of the above referenced application for permit, which has been protested. Attached are calendars for the months of December, 2012, through February, 2013.

Please indicate the dates in which you are *available* for this hearing. I have indicated the dates that are *unavailable*, as shown on each calendar. Please return the calendars to IDWR, Attn: Rachel Sommer, by October 1st, 2012.

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Rachel Brunen".

For:

JOHN WESTRA
Western Regional Manager

Cc: Ark Properties Inc
Lori Graves

Enclosures: Applicant copy
Copy of protests filed
Calendars for December, 2012, through February, 2013.