



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region, 900 North Skyline Drive, Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

April 27, 2012

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

LANCE AND/OR LISA FUNK PARTNERSHIP
2960 CEDAR LN
AMERICAN FALLS, ID 83211

BROCKWAY ENGINEERING PLLC
C/O GREG SULLIVAN
2016 N WASHINGTON ST STE 4
TWIN FALLS, ID 83301

RE: Application for Permit No(s). 35-14240, 35-14241, 35-14242, 35-14243, 35-14244

Dear Applicant(s):

Enclosed is a copy of a protest(s) filed against the issuance of Permit No(s). 35-14240, 35-14241, 35-14242, 35-14243, 35-14244. As part of the application process, the following options are available for the resolution of contested (protested) applications:

-Direct contact with the protestant(s) to determine the nature of the protest(s) and to attempt to resolve the protest. Sincere conversation between the parties prior to initiation of formal proceedings can often resolve protest(s).

-Formal proceedings administered by the department pursuant to the Department's Rule of Procedure (IDAPA 37.01.01). A pre-hearing conference identifies the protestant's concerns and reviews the resolution possibilities with the parties. If the concerns cannot be resolved, a formal hearing will be scheduled.

-Mediation through a certified professional mediator can reduce costs and time that are associated with formal proceedings, present the opportunity to address non-water concerns, provide influence over a final settlement, and fast track the processing of the application if a mediated agreement is reached. If you are interested in this option, please contact our office for details.

Please consider with the protestant the best option(s) for resolution of the contested application and forward your choice to the Department's regional manager. If no response is received within a few weeks, you may be notified that a pre-hearing protest conference will be scheduled.

You may contact this office if you have any questions regarding the procedure discussed in this letter or additional information about water rights and other matters administered by this agency is available on the Internet at www.idwr.idaho.gov.

Sincerely,



James Cefalo
Water Resources Program Manager

Enclosure(s) Copy of Protest(s)

JC:sc



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IDAHO POWER CO
BARKER RSHOLT & SIMPSON LLP
1010 W JEFFERSON STE 102
PO BOX 2139
BOISE, ID 83701-2139

BURLEY IRRIGATION DISTRICT
A & B IRRIGATION DISTRICT
MILNER IRRIGATION DISTRICT
NORTH SIDE CANAL CO LTD
TWIN FALLS CANAL COMPANY
BARKER RSHOLT & SIMPSON
113 MAIN AVE W STE # 303
PO BOX 485
TWIN FALLS, ID 83303-0485

MINIDOKA IRRIGATION DIST
FLETCHER LAW OFFICE
PO BOX 248
BURLEY, ID 83318

IDAHO GROUND WATER APPROPRIATORS INC
RANDALL C BUDGE
RACINE OLSON NYE BUDGE & BAILEY
PO BOX 1391
POCATELLO, ID 83204-1391

RE: Application for Permit No(s). 35-14240, 35-14241, 35-14242, 35-14243, 35-14244

Dear Protestant(s):

This office acknowledges receipt of your protests to the issuance of Permit No(s). 35-14240, 35-14241, 35-14242, 35-14243, 35-14244. As part of the application process, the following options are available for the resolution of contested (protested) applications:

-Direct contact with the applicant(s) to determine the nature of the protest(s) and to attempt to resolve the protest. Sincere conversation between the parties prior to initiation of formal proceedings can often resolve protest(s).

-Formal proceedings administered by the Department pursuant to the Department's Rule of Procedure (IDAPA 37.01.01). A pre-hearing conference identifies the protestant's concerns and reviews the resolution possibilities with the parties. If the concerns cannot be resolved, a formal hearing will be scheduled.

-Mediation through a certified professional mediator can reduce costs and time that are associated with formal proceedings, present the opportunity to address non-water concerns, provide influence over a final settlement, and fast track the processing of the application if a mediated agreement is reached. If you are interested in this option, please contact our office for details.

Please consider with the applicant the best option(s) for resolution of the contested application and forward your choice to the Department's regional manager. If no response is received within a few weeks, you may be notified that a pre-hearing conference will be scheduled.

You may contact this office if you have any questions regarding the procedure discussed in this letter or additional information about water rights and other matters administered by this agency is available on the Internet at www.idwr.idaho.gov.

Sincerely,



James Cefalo
Water Resources Program Manager

JC:sc