



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

October 7, 2010

Randy and Amy Heffner
14 Hill Creek Rd.
Horseshoe Bend, ID 83629

Aldape Ranch
9490 Spangler Place
Eagle, ID 83616

Re: Protested Transfer Application No. 74727,
Water Right No. 65-3803B (Randy and Amy Heffner)

Dear Randy Heffner and Aldape Ranch:

Thank you for your attendance and cooperation at the prehearing conference today regarding the protested application for transfer referenced above. This letter will summarize the result of the conference, including deadlines set.

The central issue was the proposed new Hill Creek point of diversion for applicants' water right no. 65-3808B was to be located on Aldape Ranch property about 0.25 miles from the ranch's western property boundary. No easement, right of way or private agreement for access by applicant to the ranch property exists, and the protestant, Aldape Ranch, is not willing to grant access. Hence, no settlement was reached.

Applicant, Randy Heffner decided to withdraw his transfer application by October 15, 2010. An *Withdrawal of Application for Transfer of Water Rights(s)* form is enclosed with this letter to the applicant. If the transfer is not withdrawn by this date, an Order rejecting the transfer will be issued by IDWR.

Please call me at 208.334.2190 if you have questions. Thank you.

Sincerely,

Vicky Mistic
Sr. Water Resource Agent

Enclosure(Applicant): *Withdrawal of Application for Transfer of Water Rights(s)* form