



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

July 14, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

Tom L and Norma R Grossen
PO Box 72
Indian Valley ID 83632

RE: Contested Application for Permit #67-15030

Dear Mr. & Mrs. Grossen:

Attached are copies of the protest filed against the issuance of the above-referenced application and the Little Weiser Watermaster comments opposing the new water appropriation. If a settlement can not be reached with the protestant, the Department will schedule a prehearing conference to allow parties to familiarize themselves with the contested matter. Ultimately, a hearing will be held, and a written decision will be issued based on the hearing record.

Pursuant to Idaho Code 42-203A and Appropriation Rule 45, our agency is required to evaluate each application by certain set criteria, see attached. In order for our office to further process/review the application, the following additional information is required:

- Will the proposed appropriation reduce (injure) the quantity of water available for existing senior flow and storage water rights? Provide data and convincing evidence to show water is available for a new appropriation. A list of river water rights by priority is enclosed.*
- Is the water supply sufficient for the purpose for which it is sought to be appropriated?*
- Address the Watermaster's concerns regarding the conveyance capacity of Grays Ditch and curtailment of senior water rights, see comments attached.*
- Address the impact to C Ben Ross Reservoir diversion to storage and storage volume from the river. The new appropriation could potentially divert an additional 358 acre feet of water per season (150 acres) proportioned with right #67-7866.*

Please provide the requested information to this office on or before **November 1, 2010**. Extensions of time may be granted by written request submitted prior to the deadline. An untimely or no response will result in the application ordered void. If you desire to withdraw the application, a withdrawal form is enclosed.

Should you have questions, please contact me at the Western Regional Office, phone 334-2190.

Sincerely,


John Westra, Manager

Enclosure: right list, protest, WM comments, withdrawal form, evaluation criteria
Cc: L. Weiser Irrigation Dist., SPF Water Eng.