



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

September 28, 2009

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

Randy R Heffner
14 Hill Creek RD
Horseshoe Bend ID 83629

Re: Application for Transfer No. 74727--Protested

Dear Applicant:

Enclosed is a copy of the protest filed against the issuance of the above-referenced transfer 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 can not 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.

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

Sincerely,


JOHN WESTRA
Western Regional Manager

Cc: Aldape Ranch
Enclosure: Protest copy