



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

April 26, 2010

To: Attached Distribution List

Re: Application for Transfer No. 73811 for Idaho Water Company

Dear Interested Party:

This letter summarizes the current situation for the above referenced protested application. The Idaho Department of Water Resources (IDWR) requested additional information from the applicant on November 5, 2008. The applicant made timely responses, including seeking and receiving more time to provide the information. The additional information was provided by the end of 2009 from the applicant's consultant, Brockway Engineering, in the form of a report titled "Shekinah Industries Groundwater Model Development and Transfer Scenario Runs." The report was provided to the Protestants by Brockway Engineering on January 22, 2010.

The IDWR Hydrology Section recently completed a technical analysis of the report. The analysis is available as a scanned document on the IDWR website as noted in the enclosed information. IDWR proposes the following steps to resolve the protested application.

1. All the parties should review the IDWR analysis of the report.
2. The parties should work together to resolve the protests to everyone's satisfaction.
3. A successful protest settlement should be provided to IDWR.
4. If a protest settlement cannot be completed, the parties should inform IDWR if they would prefer a prehearing conference or would prefer to go directly to a hearing to resolve the protests. Given current resources available to IDWR, a hearing could probably be conducted sometime from late 2010 to mid 2011.

Please provide your written reply within ninety (90) days. Because this is a contested case, documents provided to IDWR should also be provided to all the other parties. Please contact me at 208-334-2190 if you have any questions. Thank you for your attention to this matter.

Sincerely,

Steve Lester
Water Rights Supervisor

Enclosure

DISTRIBUTION LIST, APPLICATION FOR TRANSFER NO. 73811

IDAHO WATER COMPANY
1135 VALLEY RD SOUTH
EDEN ID 83325

BROCKWAY ENGINEERING
ATTN: ERICK POWELL
2016 N WASHINGTON ST, STE 4
TWIN FALLS ID 83301

CITY OF MOUNTAIN HOME
ATTN: WAYNE SHEPHERD
DIRECTOR OF PUBLIC WORKS
PO BOX 10
MOUNTAIN HOME ID 83647

G3 LLC
ATTN: CRAIG HAYNES
2136 E LEWANDOWSKI LN
BOISE ID 83716

MAYFIELD TOWNSITE
4487 N DRESDEN PL, STE 102
BOISE ID 83714

NEVID LLC AND ELK CREEK RANCH LLC
C/O BARKER ROSHOLT & SIMPSON LLP
ATTN: NORMAN M SEMANKO
PO BOX 2139
BOISE ID 83701-2139

FIND IDWR ANALYSIS OF BROCKWAY MODEL

STEP 1

www.idwr.idaho.gov

STEP 2

Select “water right transfers” at top center of homepage



STEP 3

Enter transfer application # and click “related documents”

Search for documents related to existing Transfer Applications by:

Transfer Application #:

- OR -

Basin #:

Sequence #:

Suffix:

RELATED DOCUMENTS

STEP 4

The document is labeled “IDWR Review of Brockway Model.”