



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

DAVID R. TUTHILL, JR.
Director

October 16, 2007

KCM Enterprises LP
3294 S Eagle Rd
Eagle ID 83616

Re: Application for Permit No. 65-23097

Dear Applicant(s):

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to the above-referenced 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 a Department 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(s) for resolution of the contested application, and forward your choice to the Department Regional Manager. If no response is received, a pre-hearing protest conference will be scheduled.

If you would like additional information, or need to further discuss the process, feel free to contact me at the Western Regional Office, phone 334-2190.

Sincerely,

for : JOHN WESTRA
Western Regional Manager

Attachment: Pre-hearing Conference Notice