



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

October 23, 2009

Scott Campbell
Moffatt Thomas Barrett Rock & Fields Chtd
PO Box 829
Boise ID 83701-0829

RE: Application for Transfer No.: 75705 – Preston Whitney Irrigation Company
(for three protestants, Bert Wheatley, Grant Chadwick, Eldon GoLightly)

Dear Protestants:

The Department of Water Resources acknowledges receipt of your protest against the approval of the above referenced application. Your copy of your protest has been sent to the applicant. The Department suggests that you contact the application directly for details regarding the application and if possible, to resolve the matter without action by the Department. In our experience, informal discussion between the parties prior to initiation of formal proceedings often leads to resolution of the protest.

If the protest cannot be resolved informally, the matter will be scheduled for conference and/or hearing. The following are criteria the Department must consider in either approving or denying the application (Section 42-222, Idaho Code).

- 1) Will other water rights be injured by the proposed transfer?
- 2) Will the proposed change constitute an enlargement in the use of the original rights?
- 3) Will the proposed change conflict with the local public interest?
- 4) Will the proposed change be contrary to the conservation of water resources within the State of Idaho?

If we may be of further assistance, please contact us.

Respectfully submitted,

Sharla Cox
Administrative Assistant