

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO**

**IN THE MATTER OF APPLICATION FOR)
PERMIT NO. 63-33064 IN THE NAME OF)
LAWRENCE AND KAY HANSEN)
_____)**

NOTICE OF HEARING

On June 10, 2008, Lawrence and Kay Hansen filed with the Idaho Department of Water Resources (IDWR) an application for permit for public water of the State of Idaho. Public notice of the application was made in the Idaho Statesman January 1 & 8, 2009. The application was protested by Fred Nitz, Herb Nitz, John Jobe, James & Michele Unsworth, and Herbert Lloyd. A prehearing protest conference was held on May 6, 2009. The Unsworth protest was dismissed for non-appearance at the conference. The contested matter was not resolved.

PLEASE TAKE NOTICE that a formal hearing will be held on **9:30 AM, Thursday, December 3, 2009 at the Idaho Department of Water Resources State Office, Idaho Water Center, 322 E Front ST, Boise Idaho.**

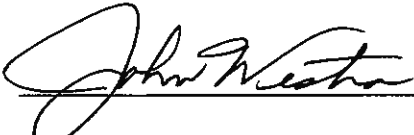
The presiding officer at the hearing will be Shelley Keen.

If you plan to offer exhibits for the record at the hearing, note that Rule 606 of the Department's Rules of Procedure requires that a copy be provided to each party and to the presiding officer.

The hearing will be held in accordance with the provisions of Idaho Code, Chapters 2 and 17, Title 42, Chapter 52, Title 67 and Department Rules of Procedure IDAPA37.01.01. A copy of the code/rules may be obtained from the Department's website www.idwr.idaho.gov or upon request. Parties appearing in this matter will have opportunity to present information, examine witnesses, and provide argument relating to the contested application.

The hearing will be conducted in a facility that meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend or participate in the hearing, please advise the Department within 10 days prior of the hearing date.

Dated this 2nd day of September 2009



John Westra,
Manager, Western Region

CERTIFICATE OF MAILING

I hereby certify that on the 3rd day of September, 2009, I mailed a true and correct copy, certified mail, postage prepaid of these documents to those on the attached list.



Denise Buffington
Administrative Assistant

Documents Sent

- Notice of Hearing
- Direction Map
- Information Letter

Mailings

Lawrence & Kay Hansen
1440 E Mary Lane
Meridian ID 83642

Fred Nitz
5325 S. Locust Grove RD
Meridian ID 83642

Herb Nitz
5445 S Locust Grove RD
Meridian ID 83642

John Jobe
5495 S Locust Grove RD
Meridian ID 83642

Herbert Lloyd
1360 E Tanya LN
Meridian Id 83642

Steve Hannula
ERO Resources
3314 Grace ST
Boise Id 83703

Debbie Gibson, SO
Notice of Hearing

Evaluation Criteria Applications for Permit

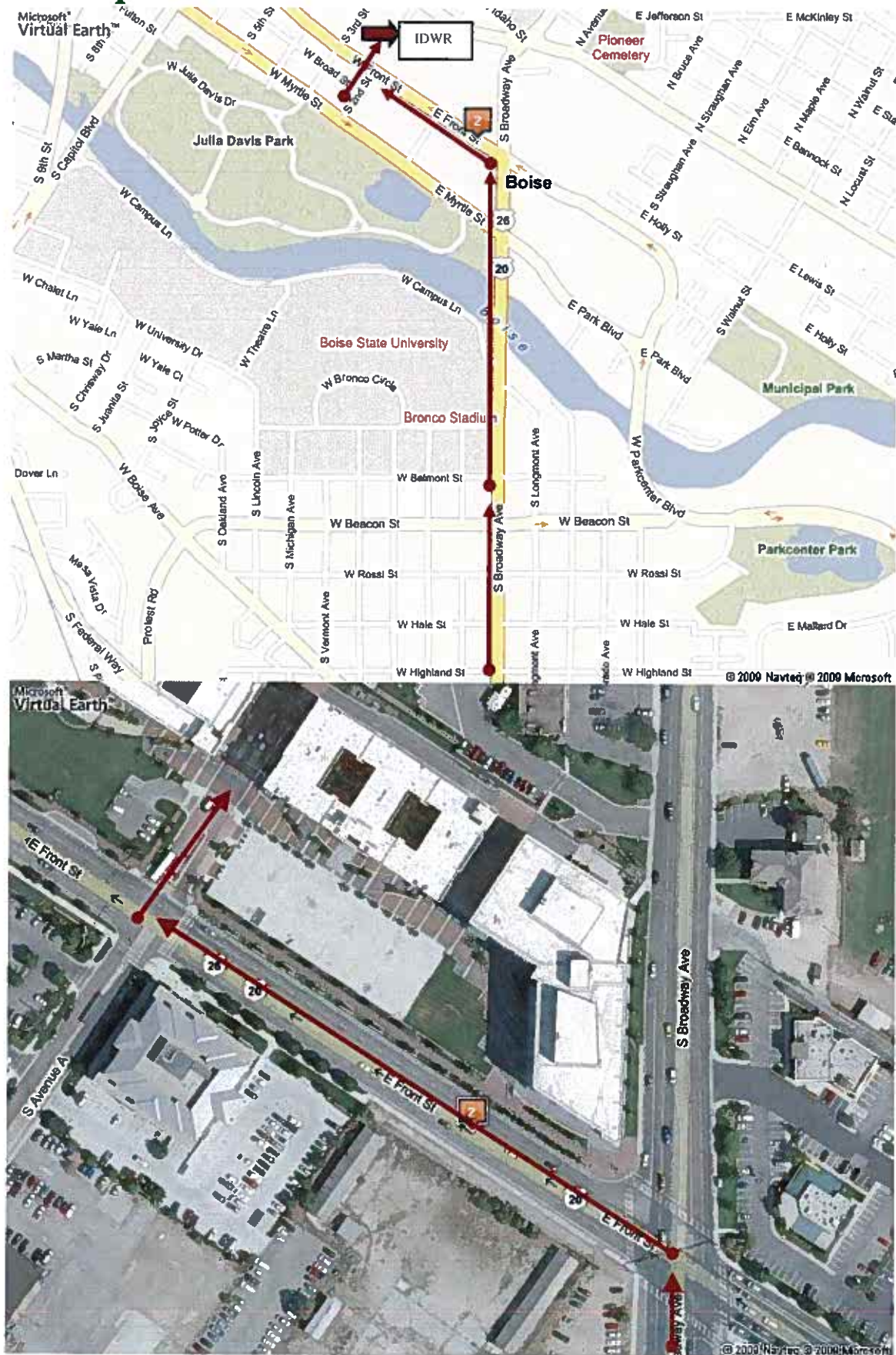
Pursuant to Idaho Code §42-203A (5)

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply sufficient for the purposes intended?
3. Is the application made in good faith, for delay, or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest? *that is, the interests that the people in the area directly affected by a proposed water use have in the effects of such use on the public water resource.*
6. Will the proposed use be contrary to conservation of water resources within the State of Idaho?

Web References www.idwr.idaho.gov, select **forms-rules-statutes**

- Idaho Code 42-203A *Protests—Hearings Appeals*
- Rules of Procedure; IDAPA 37.01.01
- Water Appropriation Rules; IDAPA 37.03.08

Idaho Department of Water Resources - State Office



Note: Fees are charged for parking in the garages