



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

January 23, 2009

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

**BENJAMIN C JONES
11 ARROWHEAD DR
SALMON ID 83467**

RE: Application for Permit No. 75-14277

Dear Applicant:

Enclosed are copies of a protest filed against the issuance of the above referenced applications. The Department suggests you contact the protestant directly in an effort to determine the nature of the protest and to attempt to resolve the protest.

Unless this office is advised that either the matter has been resolved or there exists extenuating circumstances, our objective is to schedule a conference and/or hearing in the near future to consider the protests. At a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Idaho Code ' 42-203):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?
6. Is the proposed use contrary to conservation of water resources within the State of Idaho?

Please be aware that you must contact us and request a date for a conference or formal hearing if you intend to continue with this application.

The applicant must be prepared to present evidence and/or testimony addressing each of the six items. Although representation by legal counsel is not mandatory at a proceeding before the Department, you may retain an attorney in your behalf.

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If this office can be of further assistance, please contact us.

Sincerely,

**Sharla Cox
Administrative Assistant**

Enclosure



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January 23, 2009

**City of Salmon
Mickey Verbeck
200 Main St
Salmon ID 83467**

**RE: Application for Permit 75-14491 – for Arrowhead Water District
Application for Permit 75-14277 – for Benjamin Jones**

Dear Protestant:

Your protest against approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

Unless this office is advised that either the matter has been resolved or there exists extenuating circumstances, our objective is to schedule a conference and/or hearing in the near future to consider the protest. At such a conference and/or hearing, the following are the principle items the Department can consider in their approving or denying the application (Idaho Code ' 42-203):

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5. Will the proposed use under this permit conflict with the local public interest?
6. Is the proposed use contrary to conservation of water resources within the State of Idaho?

The protestant must be prepared to present proof of allegations involving one or more of the six items.

Page 2

In addition, Rule 302 of the Department's Rules of Procedure requires a protestant to send a copy of the protest to the applicant in question.

If this office can be of further assistance, please contact us.

Sincerely,

**Sharla Cox
Administrative Assistant**



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January 23, 2009

Robbert L Blackadar
10 N Cherokee Rd
Salmon ID 83467

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January 23, 2009

Richard J Bills
PO Box 640
Salmon ID 83467

RE: Application for Permit 75-14491 – for Arrowhead Water District
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January 23, 2009

Racine Olson Nye Budge & Bailey
Randy Budge
PO Box 1391
Pocatello ID 83204

**RE: Application for Permit 75-14491 – for Arrowhead Water District
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