



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

November 25, 2008

WILLIAM H. & JANENE C. JENKS
3876 FLAMINGO LN
MARATHON WI 54448

RE: Application for Transfer No. 73968

Dear Applicants:

Enclosed are copies of protests against the approval of the above referenced application. The Department suggests that you contact the protestants directly to determine the nature of the protests 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 protests 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 right(s)?
3. Will the proposed change conflict with the local public interest in the public water resource?
4. Will the proposed change be contrary to conservation of water resources within the State of Idaho?
5. For transfer applications proposing to divert water from one watershed or local area into another, will the proposed change adversely affect the local economy of the watershed or local area where the source of water originates?

You will be notified at a later date of the time and place of the conference and/or hearing. Please contact this office if you have any questions regarding this procedure.

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:MB
Enclosures
cc:
STAN HAYE
SNAKE RIVER MANAGEMENT
3539 E 3000 N
KIMBERLY ID 83341