



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Director

November 25, 2008

RE: Application for Transfer No. 73968 (Jenks)

Dear Protestant(s):

The Department acknowledges receipt of your protest against the approval of the above referenced application. A copy of your protest has been sent to the applicants. The Department suggests that you contact the applicants 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 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

CERTIFICATE OF MAILING

I hereby certify that on the 25<sup>th</sup> day of November, 2008 a true and correct copy of the above and foregoing Acknowledgement of Protest Letter was forwarded with all required charges prepared, by Regular U.S. Mail to the parties listed:

DU WAYNE L KIMBALL  
1333 E 3500 N  
BUHL ID 83316

ROGER L CLARK  
1375 E 3500 N  
BUHL ID 83316

ROY MURPHY  
3424 N 1400 E  
BUHL ID 83316

VLADIMIR CHARLES PRUDEK  
PO BOX 615  
BUHL ID 83316

DEVON F RUHTER  
1280 E 3400 N  
BUHL ID 83316

MRS ROBERT CHANDLER  
3455 N 1400 E  
BUHL ID 83316

BRUCE DUFFY  
3385 N 1400 E  
BUHL ID 83316

WILLIAM & CARMEN ASSENDROP  
3606 N 1500 E  
BUHL ID 83316

JAKE PRUDEK  
1350 E 3500 N  
BUHL ID 83316

LINDA J BERNIER  
1373 E 3500 N  
BUHL ID 83316

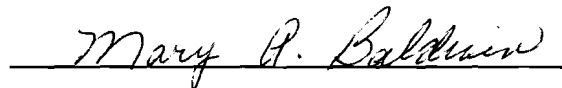
RICHARD LUTKEHUS  
3519 N 1400 E  
BUHL ID 83316

GARY E SCHROEDER  
1364 E 3500 N  
BUHL ID 83316

KENNETH D CHRISTENSEN  
3423 N 1500 E  
BUHL ID 83316

JOHN FLORIAN  
3425 N 1550 E  
BUHL ID 83316

DU WAYNE L KIMBALL JR  
1335 E 3500 N  
BUHL ID 83316



Mary A. Baldwin  
Administrative Assistant I