



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

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

September 4, 2008

Dave Nelson
5688 Chilly Rd
Mackay ID 83251

Dear Mr. Nelson:

The Idaho Department of Water Resources has received your protest against applications for transfer Nos. 74000 and 74013 in the name of John Lezamiz Family LTD Partnership. Due to the fact that we did not receive it until **September 3, 2008**, the protest date was **September 2, 2008**. so we are unable to except it as a valid protest. No one else protested this transfer, so we can not even accept it as a Petition to Intervene.

The Department of Water Resources' Water Appropriation Rules and Regulations states: 4,3,1,2. Protests against the approval of an application for permit or against a permit being reprocessed will only be considered if received by the department after receipt of the application by the department and prior to the expiration of the protest period announced in the advertisement.

At this point however, we will keep a copy in the file.

If you have any questions, please feel free to contact us.

Sincerely,

Ernest Carlsen
Program Manager

Enclosure: Original Notice of Protest, Check # 7739

EC:sc