



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

January 22, 2008

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Director

JMM Dry Creek LLC  
c/o Ringert Clark Chtd  
Attn: Charles Honsinger  
PO Box 2773  
Boise ID 83701-2773

Re: Application for Permit No. 63-32423

Dear Applicant(s):

Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to the above-referenced applications. As part of the application process, the following are options available for resolution of contested (protested) applications:

**-Direct contact** with the protestant(s) to determine what is being disputed in the application and parties attempting to resolve the protest. Sincere conversation between the parties prior to initiation of formal proceedings can often resolve protest(s).

**-Formal Proceedings** a Department pre-hearing conference & hearing through the water appropriation statute/rule process. A pre-hearing conference identifies the protest issues and reviews the resolution possibilities with the parties. If the issues can not be resolved, a formal hearing will be scheduled.

**-Mediation** through a certified professional mediator. The advantages can include: reduced costs and time that are associated with formal proceedings, the ability to address non-water concerns, more influence over a final settlement, and fast track processing by the Department for parties reaching a mediated agreement. If you are interested in this option, please contact our office for details.

Please consider with the protestant the best option(s) for resolution of the contested application, and forward your choice to the Department Regional Manager. If no response is received, a prehearing protest conference will be held according to the attached notice.

If you would like additional information, or need to further discuss the process, feel free to contact me at the Western Regional Office, phone 334-2190.

Sincerely,

A handwritten signature in black ink that reads "John Westra".

John Westra  
Western Regional Manager

Attachment: Prehearing Conference Notice