



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

June 26, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

Donald & Patricia Basso
3940 Southhampton RD
Moorpark CA 93021

RE: Contested Application for Permit 65-22942

Dear Mr. & Mrs. Basso:

This letter is in response to your e-mail of 6/19/06 concerning the status of your contested application. Since our prehearing conference in July of 2005, there have been several letters and e-mails that outlined suggestions and the procedures for settlement of your contested application. I would like to review the options in further processing of your application per the water appropriation statutes and rules of procedure:

1. If you desire to withdraw your application, please submit to our office a written withdrawal. The application will be removed from our records.
2. If you have exhausted negotiations with the protestant and desire a hearing, please contact me for scheduling a hearing date.
3. If you wish to amend your application to reflect a new period of use, or make other changes to settle the protest, the following is needed:
 - Obtain a settlement from the protestant contingent on the application being amended to the settlement conditions.

-Submit the amended application with \$50 fee to our office for re-advertisement-public notice. The application will continue to be processed if no protests are received.

In processing of new appropriation applications, the applicant bears the burden of proof in coming forward with evidence for evaluation criteria. As discussed in the Department's May 26, 2006 letter, you will still need to provide the requested information under options #2 & #3.

Our agency can provide information and discuss settlement offers with the parties; however, it is not the agency's responsibility to negotiate or broker settlements. Negotiations and settlements are bore by the applicant and protestant. If desired, an attorney or consultant can assist parties in this process.

Should you have any questions, please contact me at the Western Regional Office, phone 334-2190.

Sincerely,

John Westra
Western Regional Manager
cc: R. Belau