



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

March 4, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

USDA FOREST SERVICE
C/O STEVE SPENCER
161 MALLARD STE A
BOISE ID 83706

Re: Application for Permit Nos. 77-14145 in the Name of Regents of the University of Idaho

Dear Protestant:

This office acknowledges receipt of your protest to the issuance of a permit pursuant to the above referenced application.

The following are the criteria the department must consider in either approving or denying an application for permit (Section 42-203A, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?
6. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

The department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest prior to the prehearing conference. Direct, sincere conversation between the parties prior to initiation of formal proceedings can often resolve a protest.

Normally, IDWR sends a notice of prehearing conference with this letter. The conference is usually scheduled at a location near the proposed use of water. Because of the remote location of the proposed use, and the distance between Moscow, ID and Boise, ID, I am asking you to suggest a place and time for a prehearing conference. Enclosed is a copy of the calendar months May, June, and July, 2003. Please mark unavailable dates and return to me before April 1, 2003. If the parties do not propose an acceptable place for a prehearing conference, I will schedule the conference in Boise.

If this office can be of further assistance, please contact us.

Sincerely,


Gary Spackman

GS:st

Encl: Copy of Application