



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

September 14, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

F. James Whittaker
P.O. Box 240
Leadore, ID 83464

Re: Pre-hearing conference for Application for Permit 74-15613

Dear Mr. Whittaker,

This letter was prepared as a follow up to the above referenced pre-hearing conference held on September 12, 2006. A copy of the attendance roster is attached to this letter.

Since the pre-hearing conference did not result in any resolution of protest(s), tentative dates for scheduling a hearing were selected. They are as follows:

End of Discovery,	December 1, 2006
Identification of Witnesses and	January 9, 2007,
Exchange of exhibits,	
Hearing,	February 6 and 7, 2007,

Discussion of Hearing location was held to determine a preferred location for all parties involved. The results of that discussion is as follows:

Lemhi Irrigation,	Salmon
BLM,	Idaho Falls or Salmon,
Idaho Fish and Game,	Idaho Falls or Salmon,
Carl Ellsworth,	Idaho Falls or Salmon,

From the response listed above, it appears that the Idaho Falls location may be most convenient for you depending upon who you select for counsel. It was agreed that you would advise the Idaho Dept. of Water Resources (IDWR) within 60 days from the date of the pre-hearing conference where you wish the hearing to be held (November 12, 2006). Following your notice for hearing location, IDWR will prepare a hearing notice for all parties and reserve the hearing location for February 6 and 7, 2007.

If for some reason you decide to withdraw or modify your application, please advise IDWR as soon as possible so that ours and the protestants calendars may be adjusted accordingly.

Please feel free to call if you have any questions.

Sincerely,

W. Roger Warner.
Water Right Supervisor

Enclosure: Roster of attendance for pre-hearing conference

CC: Fish and Game
David Barber
Statehouse Room 210
Boise ID 83720

BLM
Alan Bittner
1206 Challis St
Salmon ID 83467

Carl Ellsworth
Ellsworth Ranch
Box 60
Leadore ID 83464

Lemhi Irrigation District
260 Withington Cr Rd
Salmon ID 83467