



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

JAMES E. RISCH
Governor

KARL J. DREHER
Director

October 11, 2006

MARSHALL & JOLENE OGDEN
HC 67 BOX 550
CLAYTON ID 83227

Application for Permit No. 72-16692 and Application for Transfer No. 72496

Dear Applicants:

This letter is a followup to your recent request for a Pre-hearing conference regarding your applications that have been protested and the lack of success in communicating with the protestant's legal counsel. The Department has requested available conference dates from Mr. Brown and also urged him to cooperate in an attempt to resolve the issue of his client's protest without Departmental action.

However, our office is willing to schedule the conference for either December, 2006 or January, 2007. Please notify this office within 10 days regarding the dates you are available during that time frame. Notices formally setting the conference time and place will be mailed at a later date.

Please note that the application is considered a contested case and subject to the Rules of Procedure adopted by the Department. Rules 302 & 417 require that any written communication between parties be sent to **all parties in the case**.

If you need a copy of these rules, please contact this office. The Rules of Procedure are also available on the Internet by using the IDWR Homepage at the following electronic address:

<http://www.idwr.state.id.us/apa/idapa37/0101.htm>

If you have any questions or if this office can be of further assistance, please contact us.

Sincerely,

Allen D. Merritt, P.E.
Regional Manager

December 2006						
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31						

January 2007						
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