



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

December 15, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Timothy & Stephanie Welebir
8475 Stewart RD
Meridian, ID 83642

RE: Transfer #71563 -Protested
Transfer #71309 Archuleta/Greenwell-- Prehearing conference

Dear Mr. & Mrs Welebir:

As you are aware, a prehearing protest conference is held between the applicant and protestants to identify issues/documents and make settlement offers. The conference may reveal the parties can not come to an acceptable settlement; a hearing is the next process step.

The Archuletas, Greenwells, and you have counter protested each parties transfer applications. On November 30th the Archuleta/Greenwell protest prehearing conference was held. The issue of well injury to both parties resulted in no settlement at the conference. A hearing was requested for March 2005.

The relation of your transfer and the Archuleta/Greenwell transfer are very similar in origination; both proposing new points of diversion. Protest issues of counter injury are also similar. To conserve time and resources, the Department would recommend you forgo a prehearing conference, and request the Welebir and Archuleta/Greenwell transfers be addressed in concert (together) at a March hearing. If you object to this recommendation, a prehearing conference will be scheduled. Please submit your desire in writing to the Department by January 1, 2005.

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

Sincerely,

A handwritten signature in cursive script, appearing to read 'John Westra'.

John Westra
Manager, Western Region

cc: R. Archuleta
G. Greenwald
J. Gillespie, Atty
T. Walker, Atty
T. Bohlman

PROTEST INFORMATION SHEET

APPLICANT: TIMOTHY &/OR STEPHANIE WELEBIR
8475 STEWART RD
MERIDIAN ID 83642
PH: 888-3140

APPLICATION NO: 63-31462
TRANSFER NO: 71563

DATE FILED: 5-26-04 PROTEST DATE: 11-22-04

PROTESTANT(S) NAME & ADDRESS:

— RONALD &/OR PAMELA ARCHULETA
8200 STEWART RD
MERIDIAN ID 83642
PH: 888-5604

— J. Gillespie Atty
Po Box 2337
Boise ID 83701

— GARY &/OR BARBARA GREENWELL
8580 STEWART RD
MERIDIAN ID 83642
PH: 208-888-4309

— T. Walker, Atty
Po Box 9518
Boise
ID 83707

Protestant's Attorney Name & Address: Issues:

Applicant - Attorney - Name & Address:

— Ted Bohlman
8820 Stewart Rd
Meridian ID 83642

Other: _____

JAMES R. GILLESPIE, P.A.
ATTORNEYS AND COUNSELORS AT LAW

JAMES R. GILLESPIE

300 W. MYRTLE
POST OFFICE BOX 2337
BOISE, IDAHO 83701

TELEPHONE (208) 344-8400
FAX (208) 344-7100

Thomas G. Walker
LAWYER
twalker@thomasgwalker.com

(208) 387-0400 EXT. 31
Cell: (208) 869-1508
Fax: (208) 955-2012

209 West Main Street
Boise, ID 83702-7263
PO Box 9518 83707-9518

*✓ 12-1-04
sk*

Sue
Please send
copies of the
file to the
Attorneys

— Return file
to me

Thanks
John