



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,

John Westra
Manager, Western Region

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