



State of Idaho

DEPARTMENT OF WATER RESOURCES

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EASTERN REGION

DIRK KEMPTHORNE
Governor

July 14, 2005

KARL J. DREHER
Director

CLYDE NELSON
PO BOX 797
172 S MAIN ST
SODA SPRINGS, ID 83276

RE: Application for Transfer No 71551

Dear Protestant(s):

The Department of Water Resources acknowledges receipt of your protest against the approval of the above referenced application. A copy of your protest has been sent to the applicant. The Department suggests that you contact the applicant directly for details regarding the application and, if possible, to resolve the matter without action by the Department. In our experience, informal discussion between the parties prior to initiation of formal proceedings often leads to resolution of the protest.

If the protest cannot be resolved informally, the matter will be scheduled for conference and/or hearing. The following are criteria the Department must consider in either approving or denying the application (Section 42-222, Idaho Code).

1. Will other water rights be injured by the proposed transfer?
2. Will the proposed change constitute an enlargement in the use of the original right(s)?
3. Will the proposed change conflict with the local public interest?
4. Will the proposed change be contrary to the conservation of water resources within the State of Idaho?

You will be notified at a later date of the time and place of the conference and/or hearing. Please contact this office if you have any questions regarding this procedure.

Sincerely,

W Roger Warner
Water Rights Supervisor

CC: Darwin Caldwell
2848 Kelly Toponce Rd
Bancroft ID 83217

WRW:sc