



State of Idaho

DEPARTMENT OF WATER RESOURCES

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EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 11, 2005

Jody L Williams, Esq
Holme Roberts & Owen LLP
299 S Main St Ste 1800
Salt Lake City UT 84111

RE: Application for Transfer No.: 71090

Dear Protestant:

The Department of Water Resources acknowledges receipt of your protest against the approval of the above referenced application. Your copy of your protest has been sent to the applicant. The Department suggests that you contact the application 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 rights?
- 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?

If we may be of further assistance, please contact us.

Respectfully submitted,

W Roger Warner
Water Rights Supervisor

cc: PowerDocs

WRW:sc