

Merritt, Allen

From: Travis Thompson [tlt@idahowaters.com]
Sent: Friday, January 14, 2005 11:57 AM
To: Merritt, Allen; Michael C. Creamer (E-mail)
Cc: Spackman, Gary; Peppersack, Jeff
Subject: RE: Koyle Transfer 71178

Allen,

I spoke with Mike Creamer this morning and we discussed your draft approval. The conditions are acceptable to Clear Springs and Mr. Koyle. If IDWR approves the transfer with the conditions included in your draft, you may consider our protest resolved. Please let me know if you have any questions or need a formal filing.

Thanks,
Travis



1/21/05

-----Original Message-----

From: Merritt, Allen [mailto:Allen.Merritt@idwr.idaho.gov]
Sent: Tuesday, December 28, 2004 2:06 PM
To: Michael C. Creamer (E-mail); Travis Thompson (E-mail)
Cc: Spackman, Gary; Peppersack, Jeff
Subject: Koyle Transfer 71178

REC

JAN 21 2005

Department of Water Resources
Southern Region

I have received the letter from Michael Creamer, attorney for John and Shanna Koyle, confirming earlier phone conversations that the Koyles do not agree with the proposed conditions outlined in "Conditional Withdrawal of Protest" filed by Travis Thompson, attorney for Clear Springs Foods, Inc.

I will hold the application until the matter of the protest is resolved. If needed we might set a pre-hearing conference or a formal hearing depending on the outcome of your further negotiations. Please let me know your desire.

In Mr. Creamer's letter he suggests the department provide what standard conditions the department include on any approval. As you may or may not know the department for sometime has been processing applications for transfer in what is known as a "parallel process" that involves state office and regional staff. As part of that process in most instances a DRAFT approval is created prior to advertising that contains a first blush of standard conditions. In this particular case such a DRAFT approval document was created. It is attached for your review.

PLEASE NOTE that although a DRAFT approval document has been created it does not represent final action of the department. Ultimately the department could change conditions or even deny the application. It is being provided for your review only as a basis for your further negotiations.

<<Draft Approval.doc>>