



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

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Governor Brad Little

Director Mathew Weaver

March 9, 2026

F JAMES WHITTAKER

fjwhitt@yahoo.com

ROBERT L HARRIS

HOLDEN KIDWELL HAHN & CRAPO

rharris@holdenlegal.com

DAVID TOMCHAK

Tomchak1@yahoo.com

RE: Application for Transfer 90098

Dear Parties,

The Department of Water Resources has received and acknowledges the withdrawal of protests against the above referenced application. Withdrawals have been received from the following protestants:

- David Tomchak

The application does not have any remaining protests; therefore, the department will take the steps necessary to bring the application to a final resolution.

Please contact this office if you have any questions regarding this procedure. Information about water rights and other matters administered by this agency is also available online at www.idwr.idaho.gov.

Sincerely,

Christina Henman
Administrative Assistant

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WITHDRAWAL OF PROTEST

RECEIVED

MAR 09 2026

DEPT. OF WATER RESOURCES
EASTERN REGION

Application for ☒ Transfer ☐ Permit ☐ Amendment of Permit No. 90098

In the Name of F. James Whittaker
Applicant

Name of Protestant: David Tomchak

Represented by: _____

I hereby withdraw my protest to the above referenced matter. All of my issues of protest have been addressed and/or resolved.

☐ My withdrawal is not conditional.

Or

☒ My withdrawal is conditioned on the following:

I withdraw my protest provided the applicant only develops the northern point of diversion that is not on my property and is located on the Erickson's property. As agreed, the applicant will remove the headgate and fill in the existing ditches on my property after the Erickson water rights are moved to the new point of diversion. The headgate and measuring device for the new point of diversion will also be located on the Erickson's property.


Signature of Protestant or Representative

Owner
Title

3/9/2026
Date