

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

NOTICE OF PROTEST

This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, and 42-222, Idaho Code. The department will also accept a timely protest not completed on this form if it contains the same information.

1. Matter being protested Application for Amendment of Permit 63-32423

2. Name of protestant Carol and Dean Barton

3. Protestant's Representative for service (If different than protestant)  
\_\_\_\_\_

4. Service mailing address 10300 Janie Place Boise, ID 83714

5. Service telephone no. 208-939-6576 Email Address: crebarton@gmail.com

6. Basis of protest (including statement of facts and law upon which the protest is based)  
See attached page.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(additional pages may be attached to describe nature of the protest)

7. What would resolve your protest? Deny the Application for Amendement of Permit 63-32423

\_\_\_\_\_  
\_\_\_\_\_

I hereby, acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 1<sup>st</sup> day of April, 2022.

Carol Barton  
Protestant

\_\_\_\_\_  
Protestant's Representative

RE: Application for Amendment of Permit 63-32423

Carol and Dean Barton

Since the Dry Creek Development has begun using water from their wells for homes and irrigation, our well has been having more sand issues than in the past. Dry Creek Water LLC adding an additional well will only compound the issue. In addition, at the neighborhood meeting held at Shadow Valley Golf course before development began, I was assured that the number of homes they were building would be using far less water than had been used when the water from the wells was used for its agricultural use. I questioned that and was told I didn't know what I was talking about. Well, maybe I did. If they would be using far less water than was being used before, they have no need for an additional well. We border the development's property and are adamantly opposed to granting this permit

**NOTE:**

A protestant is required to timely file a protest with the department together with a \$25.00 protest fee for each application being protested in order for the protestant to be considered a full party by the department. In addition, the department's Rule of Procedure, IDAPA 37.01.01203, requires a protestant to send a copy of a protest to the applicant.

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**INSTRUCTIONS**

1. The matter being protested must be clearly identified. A typical matter is identified by the application number such as "Application for Permit No. \_\_\_\_\_ in the name of \_\_\_\_\_" or "Application for Transfer No. \_\_\_\_\_ in the name of \_\_\_\_\_."
  2. Show the name of the protestant. Only one (1) protestant may be shown per protest form. If this protest form is signed by more than one person, the hearing officer will consider the first signer as the official protestant and the representative for service of documents.
  3. If the protestant is represented by an attorney or other authorized representative, show the representative's name. The department then will serve documents on the representative and upon the protestant if specifically requested.
  4. Show the address where the department is to serve the documents. This should be the address of the authorized representative unless the protestant does not designate a representative.
  5. Show the telephone number of the authorized representative unless the protestant does not designate a service representative.
  6. Specifically describe the nature of the protest.
  7. Describe the relief being sought by the protestant.
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**FOR DEPARTMENT USE ONLY**

Received by LE Date 04/01/2022 Time 12:00pm  
\$25.00 fee Received by LE # W050270 Date 04/01/2022