

MAR 21 2022 *DE*

WATER RESOURCES  
WESTERN REGION

07/2008

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 Leslie L. Nona

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

4. Service mailing address 6411 W Dry Creek Rd Boise, ID 83714

5. Service telephone no. 208-850-5743 Email Address: twononas@msn.com

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

This permit amendment by Dry Creek Water Co. LLC appropriates a very significant amount of ground water which poses a risk to my permitted wells. Recall that permit 63-32423 is junior.

See attached page

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

7. What would resolve your protest? \_\_\_\_\_

I can't in good faith resolve this protest when there is so many risks. I recommend denial.

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 18 day of March, 2022.

Protestant *Leslie L. Nona*

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

*Received 03/21/2022 @ 1:30 PM  
\$25.00 W050220 -LE*

## Basis of Protest

My neighbor and fellow individual Protestant, Marion Shaw has elegantly laid out the history of history of the Water Rights Agreement between the Dry Creek Rural Neighborhood Association (DCRNA) and JMM Dry Creek LLC. Please review her notes with which I agree as those comments are relevant to my protest. I need not repeat them here.

Recall the Water Rights Agreement was recorded with the Ada County Recorder on 1/26/2009 such that Agreement runs with the property now owned by BHH Investors 1414 LLC and Dry Creek Water Co. LLC.

Most pertinent to my individual protest is that sustainability of the aquifer in the Dry Creek area has not been determined and the Amendment of Permit 63-32423 poses potential injury to senior existing ground water users, myself, noted. The amount of water appropriation in the Application for Amendment of Permit 63-32423 is significant. If this is approved by IDWR, I suggest a flow meter at the very least on the well in question. Unfortunately, I remain skeptical.

Well monitoring will proceed but if my wells and those of my neighbors begin to drop, it is too little too late. I cannot take that risk, nor do I wish that for my rural neighbors.

I respectfully request that the Application for Amendment of Permit 63-32423 be denied for the reasons noted.

Protest form attached



Leslie L. Nona

6411 W Dry Creek Rd

Boise, ID 83714

Email: [twononas@msn.com](mailto:twononas@msn.com)

Cell: 208-850-5743