

SHARON AND MELISSA SHARP
P.O. BOX 38
EAGLE, IDAHO 83616-0038
(208) 585-7169

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SEP 07 2021

WATER RESOURCES
WESTERN REGION

September 1, 2021

Idaho Department of Water Resources
Western Region
2735 W. Airport Way
Boise, ID 83705-5082

**RE: FORMAL PROTEST OF TRANSFER #85180
WATER RIGHT #65-2502**

We are formally protesting transfer #85180 and the diversion application for water right #65-2502. As neighboring property owners who are downstream from this diversion, we have the potential to be very adversely affected if this application is granted.

This diversion would likely cut flow to our property so significantly that we would need to install a well for irrigation. After speaking with area well drillers, as well as Idaho Department of Water Resources staff members, the creation of such a well may be cost-prohibitive due the size requirements of the system.

I have spoken with Ron Shurtleff, the area water master, who agrees that it is necessary to create a water district to ensure that our water rights, which have historically been taken from us, be delivered to us. This would require meters to measure flow and the creation of an association of water right holders. Ron has been working with IDWR to schedule a meeting with affected water right holders to discuss the creation of an association and the installation of measuring devices.

It is our position that this application should be denied until our irrigation rights are fully enforced to properly determine if the flow is sufficient to ensure that we receive the water we are due. At that time the applicant could reapply for a diversion if the system has adequate flow. The application potentially would reclaim any wastewater from the property upstream and leave minimal to no flow sufficient for irrigating our property.

We have negative history with the neighboring landowners who filed for this application. They had moved fences from grandfathered property lines and reestablished them where they encroach onto our property. These modifications were made without communicating their intentions to us, or obtaining a survey, prior to completing the fence installations.

The enclosed map appears to place the diversion on our property that they have already encroached upon. This encroachment attempts to steal property from us along our shared northern and eastern boundaries. This boundary issue also needs to be rectified before a diversion of any kind should be granted in this vicinity.

Thank you for your consideration in denying this application. It has the potential to affect our water rights very adversely.

Sharon and Melissa Sharp
Water Right Holders

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