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JUN 10 2021

DEPT OF WATER RESOURCES
SOUTHERN REGION

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JUN 07 2021
DEPARTMENT OF
WATER RESOURCES

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 Transfer Application 84902 in the name of Silver Sage Owner's Association
2. Name of protestant Idaho Water Resource Board
3. Protestant's Representative for service (If different than protestant)
Cynthia Clark, Water Projects Section Supervisor and/or Brian Patton, Executive Officer for the IWRB
4. Service mailing address 322 E Front St, PO Box 83720, Boise, ID 83720-0098
5. Service telephone no. (208) 287-4800 Email Address: Cynthia.Clark@idwr.idaho.gov
6. Basis of protest (including statement of facts and law upon which the protest is based)

See Attachment A

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

7. What would resolve your protest? Amend application to exclude transfer of ground water rights
37-22499 and 37-8409.

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 7 day of June, 2021.

Idaho Water Resource Board

Protestant


Protestant's Representative

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.

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 S.O. Date 6-7-2021 Time _____
\$25.00 fee Receipted by N/A # Exempt Date _____

ATTACHMENT A

The Idaho Water Resource Board holds the following water right for minimum stream flow from the Big Wood River:

Water Right No. 37-7919 with a priority date of 06/19/1981

Application for transfer No. 84902 proposes to move a portion of existing surface water rights 37-20843, 37-21240, and 37-21242, and the full allotment of ground water rights 37-22499 and 37-8409, for a total diversion of 0.37 cfs. The new points of diversion proposed, include an on stream diversion point on the Big Wood River, and multiple existing ground water wells located adjacent to the Big Wood River between approximately 375 feet and 870 feet from the stream bed, along a reach protected by the Board's MSF right 37-7919.

Ground water wells currently being used to divert water under rights 37-22499 and 37-8409 are located nearly a mile from the Big Wood River. Moving these ground water rights to a point of diversion adjacent to the Big Wood River will potentially increase impact to this minimum stream flow reach, causing injury to water right 37-7919 during periods of low flow.