

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
NOV 02 2020
Department of Water Resources
Eastern Region

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 Travis Krebs Permit #29-14342
2. Name of protestant Topaz Canal Comp & Dempsey Canal Co: ~~Topaz Canal~~
Topaz C. owns 51% of Dempsey Canal Co
3. Protestant's Representative for service (If different than protestant)
Brett H. Casperson President Topaz Canal Company
4. Service mailing address 8893 E Maughan Rd Lava Hot Springs ID 83246
5. Service telephone no. 208 221 4585 Email Address: bcfarminglava@gmail.com
6. Basis of protest (including statement of facts and law upon which the protest is based)
*Water quality after use? excess foods & waste will effect quality & can
cause algae & moss growth in canals causing loss of transportation flow *quantity of water
lost due to evaporation *Potential ~~have~~ invasive species ~~both~~ ^{Normal} ~~both~~ ^{Algae + Moss}
excessive demand on resources - ~~the~~ loss of use of water transport due to
(additional pages may be attached to describe nature of the protest)
7. What would resolve your protest? Constant water quality testing (Not Random draw)
Limited size of Ponds & Amount of fish/stored. proper measuring devices
both before use & After - ~~to be tested to~~

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 30th day of October, 2020.

TOPAZ / Dempsey CANAL COMPANY

Protestant

Brett Casperson

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 CA dh Date 11/2/2020 Time 10:15 am
\$25.00 fee Receipted by CAH # E046404 Date 11/2/2020