

07/2008

RECEIVED
SEP 11 2020
Department of Water Resources
Eastern Region

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 Transfer 84270 in name of Elaine Sorensen
2. Name of protestant Joel Andersen
3. Protestant's Representative for service (If different than protestant)
James P. Speck
4. Service mailing address Speck & Aanestad, A Professional Corporation, PO Box 987, Ketchum, ID 83340
5. Service telephone no. 208-726-4421 Email Address: jim@speckandaanestad.com
6. Basis of protest (including statement of facts and law upon which the protest is based)
One or more of the changes requested by this Application will injure one or more of Protestant's water rights, will constitute an enlargement of one or more of the Applicant's water rights, are not consistent with the conservation of the ground water resources of the State and are not in the local public interest as defined in Idaho Code Section 42-202B.

(additional pages may be attached to describe nature of the protest)
7. What would resolve your protest? Denial of the request to divert any additional water rights from the Applicant's wells in Section 5, T.4N., R.26E., B.M., Butte County.

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 8 day of September, 2020

Protestant

James P. Speck
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 th Date 9/11/2020 Time 3:00 pm
\$25.00 fee Receipted by CH # E046282 Date 9/11/2020

JAMES P. SPECK
jim@speckandaanestad.com

DOUGLAS J. AANESTAD
(retired)

SPECK & AANESTAD
A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE NORTH
P. O. BOX 987
KETCHUM, IDAHO 83340

TELEPHONE
(208)726-4421
FACSIMILE
(208)726-0752

September 9, 2020

Jonie Barg
Eastern Regional Office
Idaho Department of Water Resources
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

Re: Application for Transfer 84270 in the Name of Elaine Sorensen

Dear Jonie:

I represent Joel Andersen. Enclosed you will find the *original* and a copy of a Notice of Protest to the above-referenced Application for Transfer. Please file the original and return a receipt date stamped copy to me by email at my email address stated in the Notice. You will also find our firm's check enclosed made payable to IDWR in the amount of \$25.00 for the Protest fee.

Kindly contact me right away if you have any questions or concerns about the Notice.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By:

James P. Speck

Enclosures

cc: Elaine Sorensen (w/enclosure)
Luke H. Marchant (w/enclosure)