

07/2008

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED  
JUL 13 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 Application for Transfer No. 84137 in the name of Love Family Ventures LLC
2. Name of protestant Trail Creek Sprinkler Irrigation Co.
3. Protestant's Representative for service (If different than protestant)

4. Service mailing address PO Box 131, Victor, Idaho 83455

5. Service telephone no. 208-313-7276 Email Address: jwinger1946@gmail.com

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

The proposed transfer seeks to move water from a downgradient location on the west side of the Teton  
River to an up-gradient location on the east side of the Teton River. Groundwater withdrawal at the  
proposed new point of diversion will, necessarily, decrease water availability in the Moose Creek/Trail  
Creek drainage thereby decreasing water availability for senior and junior groundwater and surface water  
rights in the area, including water rights relied upon by Trail Creek Sprinkler Irrigation Co.

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

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

Assurance that the application for transfer will not impact or injure Trail Creek Sprinkler Irrigation Co.

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 9th day of July, 20 20.

Trail Creek Sprinkler Irrigation Co.

Protestant

John Winger  
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.

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**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 ph Date 7/13/2020 Time 2:40  
\$25.00 fee Received by CA ph # E046101 Date 7/13/2020