

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 Amendment of Permit Nos. 15-7443 and 15-7444
2. Name of protestant Alan and Sandra Evans
3. Protestant's Representative for service (If different than protestant)  
Luke H. Marchant
4. Service mailing address P.O. Box 50130, Idaho Falls, ID 83405
5. Service telephone no. (208) 523-0620 Email Address: lmarchant@holdenlegal.com
6. Basis of protest (including statement of facts and law upon which the protest is based)

The Applicants own a well approximately six hundred (600) feet to the southeast of the proposed point of diversion. This well is the authorized point of diversion for Water Right No. 15-2056. The Applicants are concerned that approval of this Application for Amendment of Permit could cause injury to their water right.

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

7. What would resolve your protest? Denial of the Application for Amendment.

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 3rd day of May, 20 20.

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.

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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 Kh Date 6/8/2020 Time 12:00  
\$25.00 fee Received by CA Kh # E045987 Date 6/8/2020



Holden Kidwell  
Hahn & Crapo P.L.L.C.  
LAW OFFICES

RECEIVED  
JUN 08 2020  
Department of Water Resources  
Eastern Region

1000 Riverwalk Drive, Suite 200  
PO Box 50130  
Idaho Falls, Idaho 83405

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June 3, 2020

Idaho Department of Water Resources  
Eastern Region Office  
900 North Skyline Drive, Suite A  
Idaho Falls, ID 83402

Re: *Application for Amendment of Permit Nos. 15-7443 and 15-7444.*

To Whom it May Concern :

Enclosed for processing is a *Notice of Protest* to Application for Amendment of Permit Nos. 15-7443 and 15-7444 that we are filing on behalf of our clients, Alan and Sandra Evans. We have also sent a copy of this notice to the applicant's attorney, T.J. Budge.

If you have any questions, do not hesitate to contact me.

Best regards,

Luke H. Marchant  
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Enclosures

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