

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF PROTEST

RECEIVED

NOV 04 2019

Department of Water Resources
Eastern Region

TO: Idaho Department of Water Resources,
Eastern Regional Office
900 N. Skyline Drive, No. A
Idaho Falls, ID 83402-1718

ATTENTION: Jeff Nield, Senior Water Resource Agent
Re: Notice dated October 18, 2019

FROM: Jeffrey and Angela Keller, through their attorney representative Ronald L. Swafford

SENT VIA FAX: 208-525-7177 (**Duplicate sent via mail at above address**)

1. **MATTER BEING PROTESTED:**

Transfer of Water Rights No's: 34-14355, 34-14357, 34-14359, 34-14361, 34-14363 and 34-14365 requested by Mr. Jeffrey Buckwalter as it pertains to water rights currently owned by McClatchie Enterprises, Inc. for 199 acres.

2. **NAME OF PROTESTANTS:** Jeffrey E. Keller and Angela M. Keller, husband and wife. Jeffrey E. Keller is the duly authorized protestant for both community interest of the parties.

3. **LEGAL REPRESENTATIVE:** Ronald L. Swafford, Attorney.

4. **ATTORNEYS SERVICE ADDRESS:** 675 S. Woodruff Ave Idaho Falls, ID. 83401

5. **ATTORNEYS SERVICE TELEPHONE** NO. 208 524 4002

6. **ATTORNEYS EMAIL ADDRESS:** rons@swaffordlaw.com

7. **BASIS OF PROTEST AND STATEMENT OF THE LAW:**

The Protesters are the owners of 21 acres of land within the N.E. ¼ of the S.E. ¼ and the S.E. ¼ of the S.E. ¼ of Section 11, TN5N. R 25 E., Butte County Idaho. An application for Transfer has been filed by Jeffrey Buckwalter, who seeks to change the ownership and consolidate the place of use on the Buckwalter property for the above listed water rights. The Protesters object to the Transfer. The water rights associated with the Jeffrey E. Keller and Angela M. Keller parcel are appurtenant with the land purchased by Mr. and Mrs. Keller pursuant to Idaho Code 42-220. The Applicant (Buckwalter) has no legal right to transfer the water rights owned by Mr. and Mrs. Keller.

8. **RESOLUTION OF PROTEST:**

The protest can only be resolved by deleting from the Buckwalter's Application for Transfer, all of the Water rights associated with the 21 acre parcel owned by Mr. and Mrs. Keller.

9. **COPY OF PROTEST SENT TO APPLICANT FOR TRANSFER AT THE FOLLOWING ADDRESS:**

(address provided by Jeff Nield, Senior Water Resource Agent)

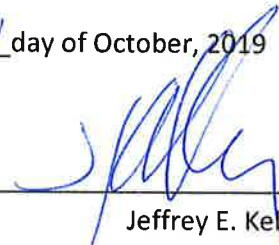
Jeffrey Buckwalter
878 Cider Press Road
Manheim, PA 17545

10. **PROTEST FEE:** \$25.00 fee included with notice of protest.

I acknowledge that if I or my designated representative fails to appear at any regularly scheduled conference or hearing on the matter of which I (we) have been properly notified at the address above, that the department may issue a notice of proposed default against Protestant in this matter for failure to appear upon which Protestant must show good cause for any such failure to avoid default.

Dated this 30 day of October, 2019

Protestant:


Jeffrey E. Keller

Protestants attorney:


Ronald L. Swafford

SWAFFORD LAW, P.C.

675 S. WOODRUFF AVENUE
IDAHO FALLS, IDAHO 83401
TELEPHONE: (208) 524-4002
FAX: (208) 524-4131

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NOV 06 2019

Department of Water Resources
Eastern Region

RONALD L. SWAFFORD – ATTORNEY-AT-LAW
TREVOR L. CASTLETON – ATTORNEY-AT-LAW

TWINKIE SWAFFORD – LEGAL ASSISTANT
SIOBHAN GIFFORD – LEGAL ASSISTANT
RAMONA ANDERSON – LEGAL ASSISTANT

November 5, 2019

Jeff Nield
Idaho Department of Water Resources
900 N. Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

HAND DELIVERED

RE: Notice of Protest for Jeffrey E. and Angela Keller

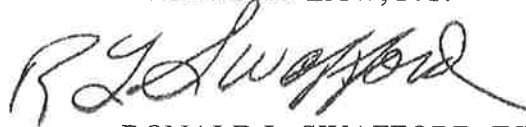
Dear Mr. Nield:

Enclosed is a check in the sum of \$25.00 to cover the fee for the Notice of Protest for Mr. and Mrs. Keller.

Please let us know if you need any additional information.

Sincerely,

SWAFFORD LAW, P.C.



RONALD L. SWAFFORD, ESQ.

Enclosures as stated

CH 11/6/19 \$25 E045434