

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

NOTICE OF PROTEST

RECEIVED
JUN 06 2017
WATER RESOURCES
WESTERN REGION

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 63-34335 Thorpe Family Trust
2. Name of protestant James W. Otradosky
3. Protestant's Representative for service (If different than protestant)
Paul A. Turcke MSBT Law
4. Service mailing address 652 N. Morningside Way Boise ID 83712
5. Service telephone no. (208) 331-4137 Email Address: jwosmo@g.com
6. Basis of protest (including statement of facts and law upon which the protest is based)

see attached

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

7. What would resolve your protest? Denial of application 63-34335

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 15th day of June, 2017.

[Signature]
Protestant

[Signature]
Protestant's Representative

C103681
By VC 6/5/2017

June 1, 2017

Re: Thorpe Family Trust, Application #63-34335

Basis of Protest

1. The application seeks a significant amount of water without a meaningful analysis or recognition of the potential impacts to established uses and rights of adjoining property owners.
2. The application seeks large volumes of water, for both diversion and storage, for a period of use when the Dixie Slough runs a very low volume, roughly 20cfs. The applicant and/or IDWR must address how water will be allocated in this time period and during shortages, particularly in light of the need for scouring and other aspect of the proper functioning of the Slough.
3. The asserted "wildlife and recreation" purposes seem to describe a duck hunting site. The large volume of water and surface area of land to be covered should raise a concern over whether some form of commercial venture is contemplated.