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SEP 11 2018

WATER RESOURCES
WESTERN REGION

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SEP 10 2018

DEPARTMENT OF
WATER RESOURCES

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 Ident. No. 2-10558 in name of HGOAL LLC
2. Name of protestant Scott VerHagen
3. Protestant's Representative for service (If different than protestant)

4. Service mailing address 16057 Map Rock Road Caldwell ID 83607
5. Service telephone no. 208 987 5464 Email Address: Verhagenfamily@gmail.com
6. Basis of protest (including statement of facts and law upon which the protest is based)

see attached page 1

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

7. What would resolve your protest? Applicant (HGOAL LLC) obtaining permit for new point of diversion that is on their property eliminating need for any comingling of

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 7th day of September, 20 18.

Scott VerHagen
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.

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.

FOR DEPARTMENT USE ONLY

Received by AV Date 9-10-18 Time 10:15
\$25.00 fee Received by AV # 0105616 Date 9-10-18

In Protest of Ident. No. 2-10558 in the name of HGOAL LLC

RE: Application Line 11a and c: A) Applicant represents David Butler as owner of property at point of diversion. This property is owned by myself, Scott VerHagen.

C) I have never entered into any arrangement with applicant enabling them to make this request nor do I intend to.

To my knowledge, the Snake River water rights were intended to be a back up to the Wilder Water Districts water delivery. In the 14 years that I have owned the property, Wilder Water District has not been able to deliver water to this property, so the current ability to irrigate this property has strictly come from the Snake River.

There is a 30 HP pump which services the POD indicated in this application. Currently one farmer is farming (leasing) this property and using the pump at this POD. This pump is barely able to service the current irrigation set up which does include some of the applicant's property. (by agreement with current farmer and applicant.) Adding to its demand by adding further irrigation burden is not feasible nor is the "sharing" of the pump at the POD. I am the owner of the property where the current 30 HP pump delivers water from the indicated POD and ultimately responsible for its upkeep and maintenance. Any addition of further water demand and more importantly, another party involved in the water usage will be a hardship to manage, not to mention potential additional cost to us for the upkeep of the pump. We have no way to meter pump usage should another party, be it the applicant or a subsequent owner, increase or change the current farming set up. (the current or a new owner comes in and changes the way their property is farmed/irrigated). Accessing the pump at the POD also involves crossing our property, which we are not interested in allowing.

When this property and its irrigation was set up to farm, one farmer farmed all of it. This has been how it has been farmed for the last 14 years since we have owned our portion of the farm. We have been able to come up with an agreeable way to farm and irrigate the entire thing as it has only involved one farmer. As more people have purchased surrounding property and the farming has the potential to be separated, disseminated or changed, it will not be feasible to put further demand on this POD or to allow any more parties access to the pump at this POD without considerable cost and effort which we are not interested in doing.

We strongly feel the applicant should apply for another POD in the Snake River more conveniently located to their property.

State of Idaho
Department of Water Resources

Water Right
2-10266

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

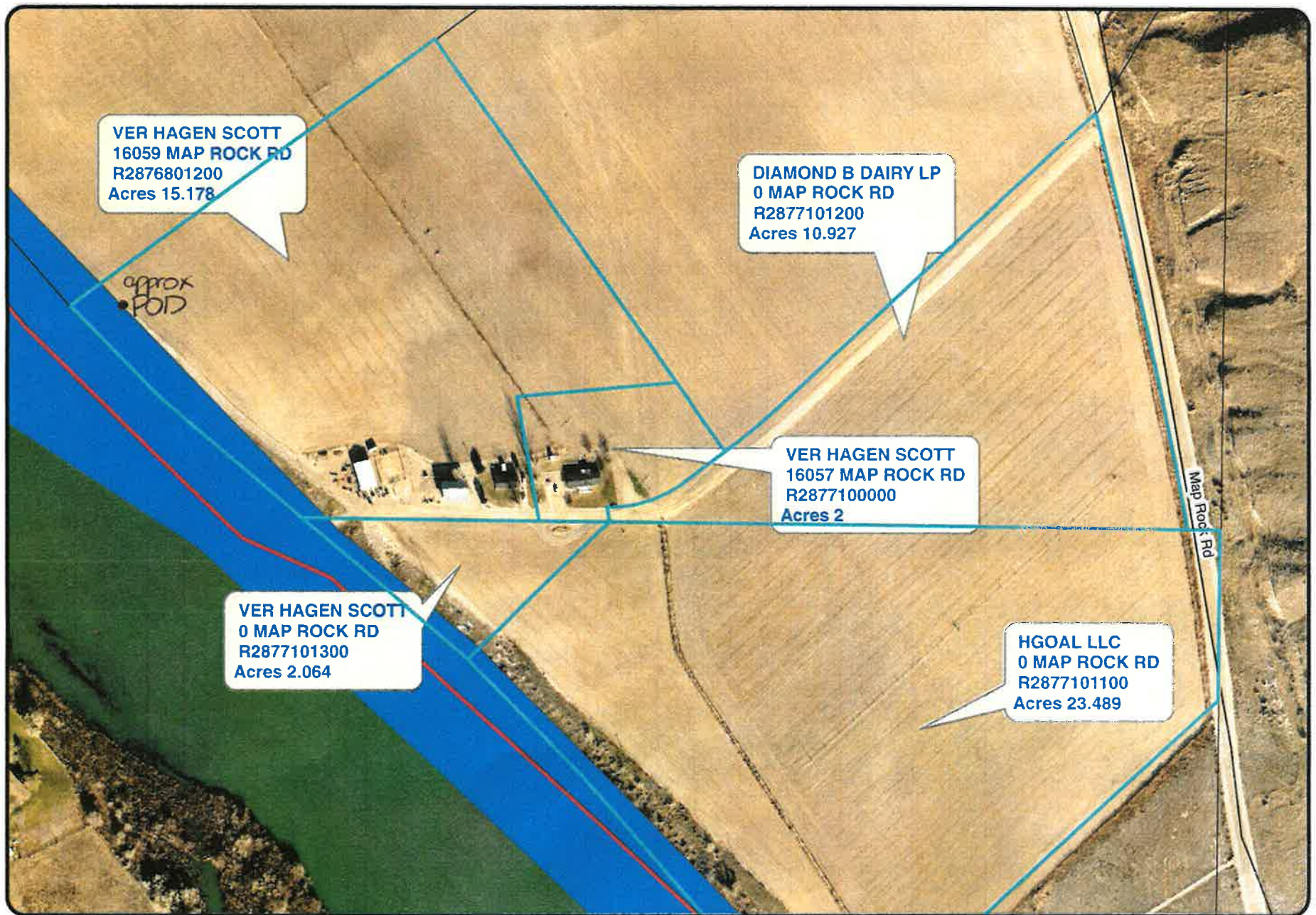
03W



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.0375 0.075 0.15 Miles





This Map and data displayed is a graphic representation derived from the Canyon County Geographic Information System (GIS) data. It was designed and provided for staff use only. It is not guaranteed survey accuracy. This map is based on information available and was compiled from numerous sources which may not be accurate. Users are to field verify this information. Canyon County and Single Point Solutions, LLC are not liable for errors or omissions resulting from the use of this product for any purpose.

