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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
SEP 13 2017
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 Transfer No 81789
2. Name of protestant Aaron Jenkins
3. Protestant's Representative for service (If different than protestant)

4. Service mailing address PO Box 409 Driggs ID 83422
5. Service telephone no. 2083996711 Email Address: arjs9n@gmail.com
ARJS9N@gmail.com
6. Basis of protest (including statement of facts and law upon which the protest is based)
See Letter

(additional pages may be attached to describe nature of the protest)
7. What would resolve your protest? with draw transfer request
and stop irrigating acreage with no right

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 13 day of September, 2017.

Aaron B Jenkins
Protestant

Protestant's Representative

Receipt
E043376

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SEP 13 2017

Department of Water Resources
Eastern Region

Aaron Jenkins
4095 W 1250 N
Driggs ID 83422
9/13/2017

State of Idaho Department of Water Resources Eastern Regional Office
900 North Skyline Drive, Suite A
Idaho Falls, ID 8.402-1718

Dear Director of Department of water Resources of state of Idaho.

I am filing a formal abjection to the application filed by Sunrain Varieties, LLC to change point of diversion and use of Mahogany Creek water (Transfer No 81789).

I am protesting under the rules that the diversion will affect my water rights and the rights of users below their point of diversion. The applicant map indicates a permanent transfer water rights and the property will not receive any water in the future. From inspection the rain bird certainly sprays water into that area. The applicant may be attempting to dry up portions of land however overcasting suggests it is less than listed on the map. The applicant is attempting to "spread" to more acreage than originally allotted.

The appicate will change hydraulically connected sources water right holders on mahogany by moving the water to a drainage father South, thus causing any excess unused irrigation water to no longer be available for other users at lower points of diversion on Mahogany or users of other well rights below the drainage.

Under 5a. The applicant indicates that the ground water rights are connected to the mahogany stream water rights by an existing water line. There is no guarantee Sun rain will take more from one source than the other source thus they have the ability to dry up the stream earlier for downstream right holders thus causing a "futile call" on senior right holders downstream and then supplement irrigation with the well right. Thus depriving right holders of water.

In 2017 Sun rain install a Center pivot system and irrigated water onto property that has not ever been watered from the recollection of the local neighbors. This suggest SunRain has a complete disregard for any other water right holder in the area.

With the application for water right, I would ask you to deny the application under no proof that this action will not affect "the rights of other water users."

Thanks for your consideration in this matter

Aaron Jenkins



Water Right number NO. 22-14101