

OCT 03 2016

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF PROTEST

1. Matter being protested:

Application 95-17198, Cedar Mountain Farm 25249 N Hatch Rd., Athol, ID 83801

Use: Commercial, Irrigation and Stockwater, .2 cfs total diversion for 5 acres.

2. Name of protestant: Kootenai Environmental Alliance

Kootenai Environmental Alliance (KEA) is a 501© (3) non-profit organization whose mission is to "conserve, protect and restore the environment, with particular emphasis on the Idaho Panhandle and the Coeur d'Alene Basin." KEA's members live, work and recreate in North Idaho and eastern Washington, including recreating on Coeur d'Alene Lake and the Spokane River. KEA's members are, and would be adversely affected by water allocation and management decisions that diminish, over-allocate, or otherwise harm ground and surface water sources.

3. Protestant's Representative: Adrienne Cronebaugh, Executive Director

4. Mailing Address: Kootenai Environmental Alliance, PO Box 1598, Coeur d'Alene, ID 83816

5. Telephone No. 208.667.9093 Email Address: kea@kealliance.org

6. Basis of Protest

Kootenai Environmental Alliance protests Application for Permit No. 95-17198 filed by Cedar Mountain Farm which seeks a total diversion of .2cfs for commercial, irrigation and stockwater on a 5-acre parcel. This protest is based on the criteria set forth in Sec. 42-203A, Idaho Code, and groundwater statutes specified below.

The application, if approved, could allow approximately 129,000 gallons per day to be withdrawn from ground water for just one 5-acre parcel. This protest is based on the criteria set forth in Sec. 42-203A, Idaho Code, and groundwater statutes specified below.

The application, if approved, would allow over 129,000 gallons per day to be withdrawn from the groundwater. This is an excessive amount on such a small area of land. Cedar Mountain Farm has not promulgated a water conservation plan to limit consumption to a reasonable level. This application is thus contrary to the conservation of water resources in Idaho, in contravention of IC §42-203A (5) (f).

Idaho Code 42-1805(2) and (3) encourage conservation of our water resource.

There is already a water right, Permit No 95-15418, associated with the applicant for .04cfs total diversion on the same property for the same beneficial use as requested in the current application. The cumulative impacts of the proposed withdrawal, combined with other pending applications and existing water rights, could lead to interference with other wells, springs, surface water and a variety of other potential ills, in violation of the public interest. The State of

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Idaho must engage in water resource management planning that addresses these issues before approving such a sizable water right request.

7. **Resolution Sought:** For the foregoing reasons, KEA requests that a protest hearing be scheduled and/or that the Cedar Mountain Farm Application for Permit No 95-17198 be denied or reduced to reflect the true beneficial use and need.

I hereby, acknowledge that if I, or my designated representative, fail 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 the 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 29th day of September, 2016

Kootenai Environmental Alliance

Protestant

Adrienne Cronk

Protestant's Representative

CC: Cedar Mountain Farm 25249 N Hatch Rd., Athol, ID 83801

Receipt # N032208 \$25.00 d 10/3/16