

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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NOTICE OF PROTEST

1. Matter being protested:

Application 97-7531. Dan Terry, 4827 Gleason McAbee Falls Rd, Priest River, Idaho 83856
Use: Power, .12 CFS, Source: Spring Tributary Sinks

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 the Priest River and Pend Oreille 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: 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. 97-7531 filed by Dan Terry, which seeks a total diversion of 0.12cfs from Spring tributary sinks to supply water for power. 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The application, if approved, would allow over 77,328 gallons per day to be withdrawn from the spring. This is an excessive amount and 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.

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 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 or that Dan Terry's Application for Permit No 97-7531 be denied.

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 20th day of April, 2016

Kootenai Environmental Alliance

Protestant

Arienne Cornsbaugh, Executive Director

Protestant's Representative

CC: Dan Terry 4827 Gleason Mc ABee Falls Rd., Priest River, ID 83856