

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF PROTEST

Transfer No. 80632

February 22, 2016

RECEIVED

FEB 22 2016

DEPARTMENT OF
WATER RESOURCES

1. Matter being protested

Transfer No. 80632 (Alex Kunkel and Lori Kunkel) involving 47-17634.

RECEIVED

FEB 25 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

2. Name of protestant

United States Department of the Interior
Bureau of Land Management
Idaho State Office
1387 South Vinnell Way
Boise, Idaho 83709-1657

3. Protestant's Representative for service (if different than protestant)

Fredric W. Price (contact person)

4. Service mailing address

same as above

5. Service telephone no.

(208) 373-3831

6. Basis of protest (including statement of facts and law upon which the protest is based).

Transfer No. 80632 seeks to change the point of diversion (POD) location from the original irrigation well to a recently drilled stock well located within the same QQ (T13S, R16E, S22, SWNWSW) which is on private lands. The transfer also seeks to reduce the number of POU's which are also located on private lands. However, the pipeline from the existing and new POD well to the POU's cross over BLM lands (T13S, R16E, S22, NESW and NWSE) and was established in trespass. Alex and Lori Kunkel have not established a Right-of-Way (ROW) with BLM for access across federal lands, which is required pursuant to federal FLPMA regulations.

The existing pipeline crossing over federal lands (T13S, R16E, S22, NESW and NWSE) connecting the well POD to POU's as described in Application for Transfer No. 80632 is not authorized and has been established in trespass.

7. What would resolve your protest?

1) Apply for a Right-of-Way (ROW) with BLM for the pipeline crossing over BLM lands (T13S, R16E, S22, NESW and NWSE).

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 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 22nd day of February 2016

Protestant

Fredric W. Price
Protestant's Representative

Attachments:

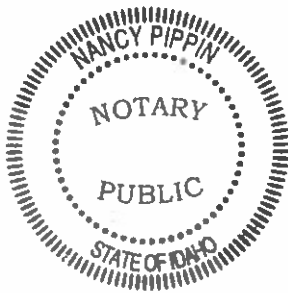
♦Maps prepared by BLM for illustrative purposes.

♦Master Title Plat: T13S, R16E.

NOTARY:

Subscribed and sworn to before me on this 22nd day of February 2016

(Seal)



Nancy L. Pippin
Nancy L. Pippin
Notary Public in and for: State of Idaho
Residing at: Mountain Home, Idaho
My Commission expires: 09-06-2017

FOR DEPARTMENT USE ONLY

Received by SL

Date 2/22/16

Fee Paid \$25.00

Date 2/22/16

Received by SL

Receipt # C101545

CERTIFICATE OF SERVICE

I certify that on February 22, 2016, I served a true and correct copy of the "**Protest of Application for Transfer 80632**" with enclosures upon the following individuals by placing the documents in the United States mail in Boise, Idaho, postage paid, and addressed as follows:

Original to:

Jeff Peppersack, Administrator
Idaho Department of Water Resources (IDWR)
Idaho State Office
Water Management Division,
P.O. Box 83720
322 East Front Street
Boise, Idaho 83720-0098

Copies to:

Idaho Department of Water Resources
Southern Regional Office
650 Addison Avenue West, Suite 500
Twin Falls, ID 83301-5858

Alex and Lori Kunkel
1625 N. 2500 E
Twin Falls, ID 83301

Steve Davis, Hydrologist
U.S., Department of the Interior,
Bureau of Land Management,
Burley Field Office
15 East 200 South
Burley, Idaho 83318

SANORA MCCREY

Person Serving Documents (print name)



Signature of Person Serving Documents

[illegible]

