

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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DEC 31 2015
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NOTICE OF PROTEST

1. Matter being protested:

Application 95-17025, Quaking Aspen Estates Owners Association Inc. 5489 W Quaking Aspen Dr., Coeur d'Alene, ID 83814.

Use: Ground Water, .2 CFS, 12.9 AF total diversion.

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: 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. 95-17025 filed by Quaking Aspen Estates Owners Association Inc, which seeks a total diversion of 0.2cfs, 12.9AF from groundwater to supply water to 10 homes. 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The application, if approved, would allow over 129,024 gallons per day to be withdrawn from the groundwater. This is an excessive amount. Quaking Aspen Estates Owners Association Inc 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.

The cumulative impacts of the proposed Quaking Aspen Estates Owners Association Inc 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 and that Quaking Aspen Estates Owners Association Inc Application for Permit No 95-17025 be denied or conditioned to mitigate the harms and impacts identified above via a robust water conservation plan and initiatives.

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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 30th day of December, 2015

Kootenai Environmental Alliance

Protestant

Adrienne Cronkay

Protestant's Representative

CC: Quaking Aspen Estates Owners Association Inc. 5489 W Quaking Aspen Dr., Coeur d'Alene, ID 83814

Receipt # N031678 \$25.00

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