

07/2008

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF PROTEST

RECEIVED
MAY 15 2015
DEPT OF WATER RESOURCES
SOUTHERN REGION

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 Albion 12 Investments LLC Groundwater Transfer #79943
2. Name of protestant JAMES WAALGREN
3. Protestant's Representative for service (If different than protestant)
4. Service mailing address PO Box 73 ALBION, ID 83311
5. Service telephone no. 208-673-6713 Email Address: WAALGREN@ATCNET.NET
6. Basis of protest (including statement of facts and law upon which the protest is based)

possibility of injury to my domestic well
when drilling my well - the drillers discovered
water at only 52 feet - nothing above or below
that level. attachment attached

(additional pages may be attached to describe nature of the protest)

7. What would resolve your protest? If it can be proven that these
new wells will not affect me or if it does, I
would require the applicant pay for and drill
a new well for me.

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 15 day of May, 20 15.

James Waalgren
Protestant

Protestant's Representative

NOTE:

A protestant is required to timely file a protest with the department together with a \$25.00 protest fee for each application being protested in order for the protestant to be considered a full party by the department. In addition, the department's Rule of Procedure, IDAPA 37.01.01203, requires a protestant to send a copy of a protest to the applicant.

INSTRUCTIONS

1. The matter being protested must be clearly identified. A typical matter is identified by the application number such as "Application for Permit No. _____ in the name of _____" or "Application for Transfer No. 79943 in the name of Albion 12 Investments, LLC
 2. Show the name of the protestant. Only one (1) protestant may be shown per protest form. If this protest form is signed by more than one person, the hearing officer will consider the first signer as the official protestant and the representative for service of documents.
 3. If the protestant is represented by an attorney or other authorized representative, show the representative's name. The department then will serve documents on the representative and upon the protestant if specifically requested.
 4. Show the address where the department is to serve the documents. This should be the address of the authorized representative unless the protestant does not designate a representative.
 5. Show the telephone number of the authorized representative unless the protestant does not designate a service representative.
 6. Specifically describe the nature of the protest.
 7. Describe the relief being sought by the protestant.
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FOR DEPARTMENT USE ONLY

Received by B. Walker Date 5/15/15 Time 1:22 pm
\$25.00 fee Receipted by B. Walker # 5034776 Date 5/15/15

Attachment for transfer # 79943

It is my understanding that the well water rights being transferred from never produced any water - and in fact was abandoned and the well driller was given the 2 acres that this dry well is at for the payment of drilling.

The driller has now built a house on this site and is living there.

It is my understanding that these wells involved in the transfer are dry and not used for irrigation.

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SOUTHERN REGION

James L. Wahlgren
5/15/2015

ATTACHMENT TO PROTEST
AGAINST 79943