

07/2008

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
SEP 29 2014
Department of Water Resources
Eastern Region

NOTICE OF PROTEST

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 Application for Transfer No 79509 in the name of Dirk Parkinson
2. Name of protestant Darren G Proctor
3. Protestant's Representative for service (If different than protestant)
Berta Jo Proctor
4. Service mailing address 19453 S Hwy 91, Downey, ID 83234
5. Service telephone no. 208-705-7588 Email Address: bjhotirons@hotmail.com
6. Basis of protest (including statement of facts and law upon which the protest is based)

See attached Exhibit A

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

7. What would resolve your protest?

See attached Exhibit A

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 26th day of September, 2014.

Protestant

Berta Jo Proctor
Protestant's Representative

Receipt
#2040280

Exhibit A

6. This protest is being submitted based on the criteria of Idaho Code Sec. 42-222:

I am protesting Application for Transfer of Water Right No. 79509; the combining of Water Right No(s). 29-13150, 29-2294, 29-2337, 29-2484, 29-2503, also the applicant's proposes to add a point of diversion and to change the place of use located in the NWNE Sec 7 T11S R37E Bannock County. The proposal as stated may cause a negative change to the aquifer, therefore causing a negative change to my Water Right No. 29-2349 Priority Date: 07/13/1954, also a negative change to my Well No. D0027314.

Darren G Proctor reserves the right to amend this protest as necessary pending other reasons that may be brought to light in the course of the hearing on this matter.

7. What would resolve your protest?

1. A reevaluation of Transfer No 79509 as currently stated.
2. The exclusion of Water Right No(s) 29-2294, 29-2503 from the combined water rights currently listed in Transfer No. 79509.
3. If a new diversion is permitted in the NWNE Sec 7 T11S R37E Bannock County as stated in Transfer No. 79509; Water Right No. 29-2503 revert back as described in Water License No G-32323/29-2503 Priority April 16, 1965 and the new diversion accommodate the irrigation of the NE Sec 7 T11S R37E and the NESE, NWSE Sec 7 T11S R37E, Bannock County a total of 231.5 ac. Therefore Water Right No. 29-2294 would also change back to the SWNW4 (36.8ac), NWSW4 (37ac), SWSW4 (38ac), SESW4 (39.5ac) Sec 8 T11S R37E Bannock County for a total of 151.5 ac.

Certificate of Service

I hereby certify that on this 26th day of September 2014, I served a true and correct copy of the foregoing Notice of Protest of transfer NO.79509, by depositing the same in the United States mail, postage prepaid, addressed to the following:

DIRK PARKINSON

P.O. BOX 326

ST ANTHONY, ID 83445



Berta Jo Proctor