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AUG 26 2014

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER RESOURCES
WESTERN 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 Transfer App 79399
 2. Name of protestant L.U. Ranching Co.
 3. Protestant's Representative for service (~~If different than protestant~~)
Tim Lowry
 4. Service mailing address P.O. Box 132 Jordan Valley, OR 97910
 5. Service telephone no. (208) 583-2249 Email Address: _____
 6. Basis of protest (including statement of facts and law upon which the protest is based)
Right holder's point of diversion is upstream of senior rights. When he diverts his full amount of water and the creek flow is already low, the impact is to the senior rights downstream.
- (additional pages may be attached to describe nature of the protest)
7. What would resolve your protest? Right holder acknowledgment that he is not to divert water under his w.r.t. priority when senior water rights are not being met.

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 August, 2014.

L.U. Ranching Co.
Protestant

Tim Lowry Vice President
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. _____ in the name of _____."
 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 PB/sc Date 8/26/14 Time 10:30AM
\$25.00 fee Received by PB # W042405 Date 8/26/14

Joan Tayne

We purchased the Trout Creek Ranch in 1996.

In 1998 or 1999 we hired Bob Bruce to repair an old ditch to 5 acres of our land from near the head of Trout Creek - where it originates up the Canyon out of a big spring.

We irrigated only one year - The ditch washed out - It didn't seem worth while to repair it.

Our priority date to use the water on the 5 acres - 1902. I can't remember how many acre feet ~~the~~ it called for - or if it stated it was to be used in ditches.

We sold the land to Mark Stark a year or so ago -