

07/2008

RECEIVED

JUL 17 2014

DEPT. OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 # 79384
2. Name of protestant MARTIN HACKARD
3. Protestant's Representative for service (If different than protestant)

4. Service mailing address 3289 N. 2300 E. TWIN FALLS ID 83301
5. Service telephone no. 732-0060 Email Address: HUMBIRD50@MSN.COM
6. Basis of protest (including statement of facts and law upon which the protest is based)
SEE ATTACHED

(additional pages may be attached to describe nature of the protest)
7. What would resolve your protest? SEE ATTACHED

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 17 day of July, 20 14.

Martin F Hackard
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. _____ 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.
-

FOR DEPARTMENT USE ONLY

Received by B. Walker Date 7/17/14 Time 9:41 AM
\$25.00 fee Received by B. Walker # 5034160 Date 7/17/14

JUL 17 2014

DEPT. OF WATER RESOURCES
SOUTHERN REGIONNOTICE OF PROTEST OF TRANSFER # 79384, 79380, AND
79357PROTESTANT: MARTIN HACKARD
TRANSFER OF WATER RIGHTS FROM THOMAS LENO TO
CEDAR RIDGE DAIRY AND HENRY C HAFLINGER JR

I have lived at 3289 N. 2300 E. (Salmon tract area) for 14 years and have seen water levels drop since the industrial dairies were built in this area.

Our quality of life would be greatly compromised to the point that we would not have enough water to sustain basic life. Our property values would plunder to depths where no one would buy our home. The water tables have already been damaged by the industrial dairies using way too much water.

Well problems have occurred at my expense as well as other neighbors in the area due to the lack of water causing the well collapse due to the massive consummation of underground water by the industrial dairies in our area.

The industrial dairies have no concern for our well-being to maintain a healthy life-style due to the over abundance of flies and odors.

Now if these transfers go through, we will not be able to live in our homes without good quality water.

I do support the agricultural business in the area, but I do not support a ruthless industry such as these dairies in our area that are not good stewards of the land!

I have fought these industrial dairies in the past with no means of satisfaction from them. Just a lot of red tape and mental and physical stress on myself and my family.

1) PLEASE, PLEASE DO NOT LET THE TRANSFERS GO THROUGH!

2) Put a moratorium on the dairies consummation of underground water by not drilling new wells or upgrading existing wells for more output.

3) Fixing our wells to our satisfaction will be only a temporary fix because of the massive abundance of underground water being used by these industrial dairies.

The home owner's wells will suffer immensely.

4) Recommend that the industrial dairies locate to another location to improve our quality of life in the Salmon Tract area.

5) If no compromise can be made, I believe that the dairies should buy us out and give us a fair market value for our property which consists of a home, barn and 5 acres of land.

6) In the future, Idaho Water Resources should closely monitor the industrial dairies consummation of underground water.

7) Please use common sense when thinking out these water right transfers in the Salmon Tract area now and in the future.

Mark F. Hubbard
17 July 2014