

07/2008

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF PROTEST

RECEIVED
JUL 18 2014
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 Water Transfer # 79380 / Thomas Leno

2. Name of protestant Victoria B. Hensen

3. Protestant's Representative for service (If different than protestant)

4. Service mailing address 3245 N 2300 E Twin Falls, ID 83338

5. Service telephone no. (208) 320-7918 Email Address: duhenson3@msn.com

6. Basis of protest (including statement of facts and law upon which the protest is based)

My 79 year old recently widowed mother has lived on here for 39 years. Availability of water has always been a major concern. I am afraid that putting this through will result in her well failing. Her only source of income is her social security and damage to her well would be a life threatening hardship. (cont) (additional pages may be attached to describe nature of the protest)

7. What would resolve your protest? do not allow the water transfer. In the event that the transfer is allowed, I would need a guarantee that if her well is affected she would receive compensation at the current market value of her property prior to the water transfer

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 18th day of July, 2014.

Victoria B. Hensen
Protestant

Protestant's Representative

Victoria B. Heuser

6. → In the event of a loss of water, her property value would plummet and she would not be able to sell her property and move to a comparable home.

I myself, live with her and take care of her. I am recently widowed and my life would be devastated as well.

Attachment to Protest: 79380

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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. 79380 in the name of Thomas Lens."
 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 N. Erickson Date 7/18/14 Time 12:34 PM
\$25.00 fee Received by N. Erickson # 5034172 Date 7/18/14