

07/2008

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JUL 18 2014

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DEPT. OF WATER RESOURCES
SOUTHERN 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. 79380 in the name of
Thomas Leno
2. Name of protestant Jeanie McCreary
3. Protestant's Representative for service (If different than protestant)

4. Service mailing address 2217 E 3300 N. Twin Falls, Id 83301
5. Service telephone no. 208-308-1907 Email Address: _____
6. Basis of protest (including statement of facts and law upon which the protest is based)

See attached letter

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

7. What would resolve your protest? See attached letter

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 18 day of July, 2014.

Jeanie McCreary
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.
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FOR DEPARTMENT USE ONLY

Received by B. Walker Date 7/18/14 Time 10:14
\$25.00 fee Receipted by B. Walker # 8034168 Date 7/18/14

Transfer 79357, 79380, 79384

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Idaho Department of Water Resources & Thomas Leno

DEPT. OF WATER RESOURCES
SOUTHERN REGION

My husband and I bought our land at 2217 E 3300 N April 1,1995.

This is located on the Salmon Tract . The Salmon tract is known for not having a lot of water, even on a good year. That is for both well water and irrigation water.

We feel that the proposed transfer of water and drilling of 3 big wells would effect our quality of life and devalue our property.

We drilled our well 450 feet and placed the pump in the ground. The pump sucked the shaft dry after 10 minutes. We had to drill an additional 70 feet to get enough water to maintain our household water needs and to maintain a very small yard.

We moved out here with the expectation of living the rest of our lives here and to have something of value to hand down to our children and grandchildren.

Is Thomas Leno or who he transfers this much needed water to for our existance going to compensate us once or properties are worth nothing? Once that happens, we can't get anything for

our 20 years of hard work and love we have put in. We certainly can't buy anything else at that time so we can enjoy our retirement years without owing a mortgage again. Do they care or are they only thinking of themselves? I think the latter.

The proposed transfer of water and 3 wells will have a devastating effect on the whole area out here. Once the water is gone, what can be done: NOTHING!!. It states in the explanation of water rights from IDWR that a transfer may be approved IF: it will not injure other water rights, does not constitute an enlargement of the original water rights, is a beneficial use, is consistent with the local public interest.

We feel this transfer proposal is going against the best interest of all who will be affected if it passes. It will affect a great many families who want to and should be able to live here without being subject to the hardship this will put on our area. The transfer and wells will only benefit a certain family and that is selfish on their part.

We therefore ask that this transfer of water and 3 wells be denied in the best interest of the families we live here.

Jeanie and Fred McCreary

Jeanie McCreary 7-18-14

*Fred McCreary*² 7-18-14