

07/2008

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 24 2014

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 Mr. Kipwell application #57-11840
2. Name of protestant Tera Labein
3. Protestant's Representative for service (If different than protestant)

4. Service mailing address 17813 Openna Loop Rd Openna Idaho 83650  
2088342288 cell 208
5. Service telephone no. 477 7089 Email Address: \_\_\_\_\_

6. Basis of protest (including statement of facts and law upon which the protest is based)  
See letter attached, and above Idaho Codes
- (additional pages may be attached to describe nature of the protest)

7. What would resolve your protest? No irrigation well, or  
stock/domestic well

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 20 day of March, 20 14.  
Tera Labein  
Protestant

Protestant's Representative

March 20, 2014

## Notice of Protest

### Basis of Protest

My property has been in my family for year and as irrigation wells increased our domestic use decreased and has been compromised with years of costly well maintenance and repairs. Every irrigation season we lose domestic water pressure.

Mr. Hipwell has an existing irrigation well south of my property approximately one half mile that pumps for a pivot west and north of my property. Mr. Hipwell has an existing irrigation well approximately 1500 feet to the east of my property that pumps for a pivot.

Mr. Hipwell has now drilled an irrigation well approximately 500 feet to the south of my property and a stock well or domestic well approximately an eighth of a mile west of my property. Application #57-11840.

I believe this application will further compromise all domestic water use in this area.

Thank you,

A handwritten signature in cursive script, appearing to read 'Reva Tobias', written in dark ink.

Reva Tobias

17813 Oreana Loop road  
Oreana, Idaho 83650

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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.

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**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 CNute Date 3/24/14 Time 11:45  
\$25.00 fee Receipted by CN # W04932 Date 3/24/14