

07/2008

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 30 2013

Department of Water Resources  
Eastern Region

NOTICE OF PROTEST

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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 78800 (N.L. Bills)
2. Name of protestant Christopher & Cynthia Deen
3. Protestant's Representative for service (If different than protestant)

4. Service mailing address P.O. Box 14 Carmen, Idaho 83462
5. Service telephone no. 208 756-1359 Email Address: cdeanx2@yahoo.com
6. Basis of protest (including statement of facts and law upon which the protest is based)

Application fails to mention the many diversions between the confluence w/ Carmen Creek and the Morton Ditch, one of which provides water to our AHS subdivision. This proposed transfer could adversely impact our water rights from Carmen Creek (#75-14340 + 75-13996) and the water rights in the name of Antelope Hills Homeowner (additional pages may be attached to describe nature of the protest) Assn. (#75-14459 and #75-14460) (cont. on page 2)

7. What would resolve your protest?  
Denial of the proposed 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 28 day of September, 2013.  
Cynthia Deen  
Protestant

Protestant's Representative

Receipt  
#6039171

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re: Transfer # 78800 (N.L. Dills)

Basis of Protest (from page 1 - cont.)

In addition, this ~~diversion~~<sup>ed</sup> transfer will adversely impact the aquatic habitat in Carmen Creek and would negatively impact the efforts by Idaho Fish and Game in the Carmen Creek Area.

As with any increase to flow in a particular ditch, this additional water to the Dills Ditch has the potential for property destruction in the event of an overflow or breach.

Cynthia Dean

9.28.13