

07/2008

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 30 2013

Department of Water Resources
Eastern 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 Transfer 78800 (Nancy Linell Bills)
2. Name of protestant Barbara J. + Robert R. Ridihalgh
3. Protestant's Representative for service (If different than protestant)
4. Service mailing address P.O. Box 29, Carmen, Idaho 8341621
5. Service telephone no. 208-756-4540 Email Address: riboba@centurytel.net
6. Basis of protest (including statement of facts and law upon which the protest is based)
Applicant states that "there are no diversions from Freeman Creek between Bills ditch + Freeman Creek's confluence with Carmen Creek." Applicant fails to mention numerous diversions between the confluence + Moritz Ditch. One of those diversions provides water to our subdivision. The proposed water transfer (continued on page two)
(additional pages may be attached to describe nature of the protest)
7. What would resolve your protest? Denial of 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 27th day of September, 2013.

Barbara J. Ridihalgh
Protestant

Protestant's Representative

Receipt
#8039169

Notice of Protest
Transfer #78800 (Nancy Linell Bills)

Basis of Protest
Continued from page One

Could adversely impact our water rights from Carmen Creek (#75-14081 and #75-14087) and the water rights held by our Subdivision in the name of Antelope Hills Homeowners Assn. (#75-14459 and #14460)

In addition to Adversely impacting the water rights of many irrigators in Carmen Creek, this proposed transfer will Adversely impact aquatic habitat in Carmen Creek by removing over 3 cfs from a long reach of Freeman and Carmen Creek. This would negate the ongoing efforts of Idaho Fish and Game to restore flows for fish passage in Carmen Creek.

There is Also an issue with the stability of the Bills ditch. Putting extra water in this ditch further increases the risk of ditch failure, thus threatening people's property and homes.

Barbara J. Ridihalgh