

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 David & Kristine Meacham
3. Protestant's Representative for service (If different than protestant)

4. Service mailing address 318 Williams Creek Rd, Salmon Id 83467
5. Service telephone no. 208-756-1443 Email Address: SALMON08@hotmail.com
6. Basis of protest (including statement of facts and law upon which the protest is based)
see attached statement

(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 29 day of September, 20 13.

Protestant

Protestant's Representative

Receipt
#2039168

Notice of Protest
Transfer # 78800 (Nancy Linell Bills)

Applicant states "there are no diversions from Freeman Creek between the Bills ditch and Freeman creeks confluence with Carmen Creek". However applicant fails to mention the numerous diversions between the confluence and the Morton ditch. One of those diversions provides water to the Antelope Hills subdivision. The proposed water transfer could adversely impact our water rights from Carmen Creek (75-14454 + 75-14452) and the water rights held by our subdivision in the name of "Antelope Hills Homeowners Association (75-14459 + 75-14460).

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

There is also an issue with stability of the Bills ditch. Putting additional water in this ditch further increases the risk of ditch failure, thus threatening other peoples homes, property, and rights to farm.

Kristine Meacham