

07/2008

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 22 2008

IDWR/North

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 App. for water rights for Philips & Patey Parkway
2. Name of protestant Susan Bourguignon
3. Protestant's Representative for service (If different than protestant)

4. Service mailing address 1201 Sunset Rd
5. Service telephone no. 208-683-2907 Email Address: _____
6. Basis of protest (including statement of facts and law upon which the protest is based)

Any more water rights issued for this creek or
runoff other than just for domestic use would
be very detrimental to anyone below them (which
is everyone) and to the environment fish +

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

7. What would resolve your protest? no more water rights for
irrigation or recreation issued

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 22 day of September, 2008.

Susan Bourguignon
Protestant

Protestant's Representative

wildlife. I personally have water rights on Careywood creek and when Barnharts are irrigating it stop & flow so much I don't even have enough water for domestic use. They already have some in a sons name and some more that are still under protest at this time because there is not sufficient water for those but they just keep on applying for more. and this time want a large amount including but not limited to a recreational storage which is ridiculous considering the lack of water as it is.

Susan Bourgeois

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
 95-9508
 PHILIP W BARNHART
 PATSY BARNHART
 486 KRIPPLE CREEK
 ATHOL ID 83801
 Use: IRRIGATION 04/01 To 10/31 0.16 CFS
 Use: IRRIGATION STORAGE 01/01 To 12/31 29.5 AFA
 Use: IRRIGATION FROM STORAGE 04/01 To 10/31 24 AFA
 Use: STOCKWATER 01/01 To 12/31 0.02 CFS
 Use: STOCKWATER STORAGE 01/01 To 12/31 5.7 AFA
 Use: STOCKWATER FROM STORAGE 01/01 To 12/31 0.2 AFA
 Use: RECREATION STORAGE 01/01 To 12/31 5.5 AFA
 Total Diversion: 0.18 CFS 29.7 AFA
 Date Filed: 08/19/2008
 Place Of Use: IRRIGATION
 T54N R02W S15 NWNW Lot 1
 Number of Acres 8
 Place Of Use: ALL OTHER USES SAME AS IRRIGATION
 Remarks: Stockwater use is for 10 head of mixed stock.

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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.

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. 95-9508 in the name of Philip W" or "Application for Transfer No. _____ in the name of _____." Patsy Barnhart
 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 cm Date 9-22-08 Time _____
\$25.00 fee Receipted by cm # N019568 Date 9-22-08