

07/2008

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF PROTEST

RECEIVED
OCT 20 2008
IDWR/North

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 Application for Permit No. 95-9508
2. Name of protestant Joan Tape
3. Protestant's Representative for service (If different than protestant)

4. Service mailing address 132 Sunset Rd, Arhol, Id 83801
5. Service telephone no. 208-683-2753 Email Address: _____
6. Basis of protest (including statement of facts and law upon which the protest is based)

Pond was constructed 2 years prior to obtaining water right. Pond was dug and constructed within the stream. Water is now blocked off from continuing down the hillside and under the road to meet with
(additional pages may be attached to describe nature of the protest)

7. What would resolve your protest? Require pond to be filled in since it was built in the streambed. If water right is permitted, only allow the diverted amount that would ensure the continuance of the stream flow into Carugwood Creek.

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 18th day of October, 2008.

Joan Tape
Protestant

Protestant's Representative

RECEIVED

OCT 20 2008

IDWR/North

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.

Copy sent to 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. _____ 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.

FOR DEPARTMENT USE ONLY

Received by *[Signature]* Date 10/20/08 Time 3:00 p
 \$25.00 fee Received by *[Signature]* # N019637 Date 10/20/08

RECEIVED

OCT 20 2008

IDWR/North

Careywood Creek. This stream does not meet the criteria of a sink. This stream is a tributary to Careywood Creek. There are water rights prior to this right downstream. Careywood Creek is a small creek and this application would not allow previous water rights to fully utilize their permits.