

RECEIVED

AUG 31 2011

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF PROTEST

RECEIVED SEP 01 2011

DEPARTMENT OF
WATER RESOURCES

WATER RESOURCES
WESTERN REGION

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 #65-23451, in the name of Allen Ranch LLLP, including changes to water right #65-03111X and Point of Diversion Transfer Application #77121

I protest the change in the point of diversion for water right #65-03111X to the "Upper Allen" diversion, specifically described as T13N, R03E, S3, NE QQQ, NW QQ, SW Q. Additionally; I protest the addition of the "Lower Allen" diversion point, described as T13N, R03E, S3, SW QQQ, SE QQ, NE Q, unless it will be approved as the **only** point of diversion from Rock Creek (aka Richard Creek), for water right #65-03111X or other rights as applied for of the same under a different water right number.

2. Name of protestant: Glenn Ford

3. Protestant's Representative for service (If different than protestant) Joyce Ford, wife, in the event I am physically unable to attend due to existing disability illness.

4. Service mailing address: 569 Brenda Ln., Cascade, ID 83611

5. Service telephone no. (208) 866-7838 Email Address: ford929@gmail.com

6. Basis of protest (including statement of facts and law upon which the protest is based)
(Additional pages may be attached to describe nature of the protest)

- The Applicant and/or the Applicant's Representative appears to have misrepresented critical information to IDWR
- Approval of the "Upper Allen" diversion point negatively impacts the water rights of others on the creek
- The application is not in the local public's interest
- Approval of the "Upper Allen" diversion point will result in a negative effect on the aesthetic beauty of the creek
- Approval of the "Upper Allen" diversion point will result in a negative impact on property values and/or marketability for homes along the creek
- Approval of the "Upper Allen" diversion point may eliminate use of the stream for emergency fire protection
- Approval of the "Upper Allen" diversion point may compromise the ability to pursue utilization of the creek as a natural resource for home hydropower energy production

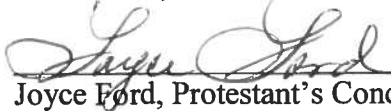
7. What would resolve your protest? Disapprove the entire application or approve **only** the Allen Ranch LLLP request for the addition of the "Lower Allen" diversion described as T13N, R03E, S3, SW QQQ, SE QQ, NE Q, to serve as the **only** point of diversion from Rock Creek (aka Richard Creek) for the applicant.

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 30th day of August, 2011.



Glenn Ford, Protestant



Joyce Ford, Protestant's Conditional Representative

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. _____ 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

Reccep # C093867

Received by SR7 Date 8/31/2011 Time 10:35

\$25.00 fee Receipted by ↑ # C093867 Date 8-31-2011

Paid \$25- each.