

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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SEP 01 2011

WATER RESOURCES
WESTERN 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 Application #77121 P.O.D. in the name of Allen Ranch LLLP
2. Name of protestant Melvin E. Pursel
3. Protestant's Representative for service (If different than protestant)
Sandra Chess or Jimmie Bunce
4. Service mailing address 1077 Washington St. Reno, NV 89503
5. Service telephone no. 775-335-9087 Email Address: MELVINPURSEL@AOL.COM
6. Basis of protest (including statement of facts and law upon which the protest is based)

See attached page

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

7. What would resolve your protest? that no physical diversions or water right changes be made that changes the present and natural water flows on Richards Creek AKA Rock creek or Unknown Stream Tributary.

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, 20 11.

Melvin E. Pursel
Protestant

Protestant's Representative

Re: Protest of application #77121 P.O.D.

Protestant - Melvin E. Pursel

Basis of Protest -

I protest any changes in the streamflow above the Gratton and Barnard Subdivision #2.

At the time of the subdivision application, The water rights were approved by Allen Ranches and should remain as they are to insure property and aesthetic values of the lots adjacent to the creek. Lots were sold and homes were built because of the creek. The sights and sounds of the creek running beside my home adds immeasurable pleasure to me, my family and visiting friends.

Approval of Application #77121 P.O.D. impedes my water rights as well as others and appears to lack good faith to those who enjoy the creek for many reasons.

Melvin E. Pursel

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.
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FOR DEPARTMENT USE ONLY

Received by DB Date 9-1-2011 Time 11:00 a.m.
\$25.00 fee Received by DB # W039598 Date 9-1-2011