

RECEIVED

SEP 02 2011

WATER RESOURCES  
WESTERN REGION

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

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 No.77121 to Change/Transfer Point of claim 65-03111X in the name of Allen Ranch LLLP

I protest the application to transfer the point of diversion for water right #65-03111X to the location "above the road" this is a physical change in the point of diversion, not a correction.

2. Name of protestant Maureen K. Weber

3. Protestant's Representative for service (If different than protestant) n/a

4. Service mailing address 4603 South 5 Mile Rd. Boise, ID 83709

5. Service telephone no: 208-867-1376 Email Address: Kaiweber@cableone.net

6. Basis of protest (including statement of facts and law upon which the protest is based)

1. My cabin is on Rock Creek (Richard Creek) and that was the main reason for purchase
2. The change could change the resale appeal
3. The change in water flow could affect the wildlife that uses the creek that is visible from the property
4. The change would serve no purpose for the population on the creek

7. What would resolve your protest? Allowing the addition of the lower diversion point, located at the place of use only, but not the upper diversion as the flow of the creek has been greatly reduced recent because of this new diversion

I hereby, acknowledge that if I, or my designated representative, fail 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 First day of September, 2011.

  
Protestant

\_\_\_\_\_  
Protestant's 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.

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**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 SB Date 9/2/2011 Time 1:00 p.m.  
by { \$25.00 fee Receipted by SB # W039599 Date 9/2/2011  
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