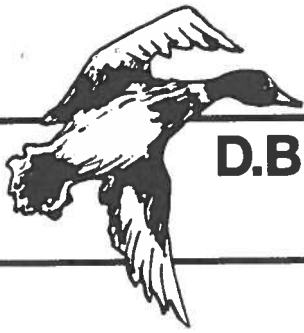




D.B. Clark
LAW

RECEIVED

SEP 06 2011

DEPARTMENT OF
WATER RESOURCES

September 6, 2011

RECEIVED

SEP 07 2011

WATER RESOURCES
WESTERN REGION

Idaho Department of Water Resources
322 East Front Street
Boise, ID 83720

Re: Water Right #65-3111X- E.K. Allen Ranches, Inc.

Transfer #
← 77121

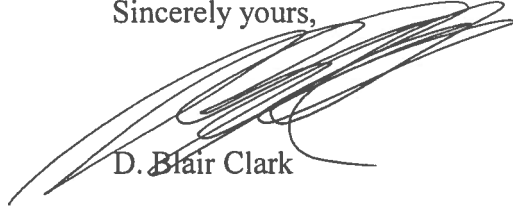
Gentlemen:

Please accept this as a Notice of Protest to the above-referenced application for transfer.

1. This is a protest insofar as it is a request to change the point of diversion.
2. The Protestant is Gaffney Properties, a Partnership.
- 3.-5. The Protestant's representative for service is D. Blair Clark, 1513 Tyrell Lane, Suite 130, Boise, ID 83706, email dbc@dbclarklaw.com, telephone number 208-475-2050. We would also like courtesy copies served upon Sandra Chess, 1200 Lizazo Avenue, Boise, Idaho 83709, AND Jim and Isabel Bunce, PO Box 388, Cascade, ID 83611, as Gaffney Properties gets its water through the West Mountain Water Association.
6. This protest is made as a change in point of diversion will likely reduce the water to be supplied to the Association, which will curtail water delivery to the Gaffney Properties site. Further, there is concern that the alteration to the point of diversion will dry up Rock Creek in whole or part and interfere with the aesthetics of the area. I've been attempting to get more information on this issue; my wife, who is the Secretary of Gaffney Properties, just learned about the problems last Saturday and our information is somewhat sketchy. We've also looked on your website but half of it seems to be malfunctioning. Therefore, we do reserve the right to amend the protest in the future.
7. Resolution of the protest could be accomplished by allowing sufficient flows to meet the necessary water rights for the West Mountain Water Association and related properties.

We do acknowledge that if we fail to appear at the conference or hearing, you may issue a notice of proposed default. We have served a copy hereof by email and US mail on Mr. Smith as attorney for Allen Ranch.

Sincerely yours,

A handwritten signature in black ink, appearing to read "D. Blair Clark". The signature is stylized with multiple overlapping loops and a long horizontal stroke extending to the left.

D. Blair Clark

Enclosure

cc: Gaffney Properties
Sandra Chess
Jim and Isabel Bunce
Bruce Smith

#25 - received 9/6/2011 by SRF #C093901
(state office)