

07/2008

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 08 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 to transfer/change water right #65-03111X
2. Name of protestant Cindi Bethel Carmona own water right #65-01880
3. Protestant's Representative for service (If different than protestant)

4. Service mailing address 10421 W Campville St Boise ID 83709
5. Service telephone no. (208)672-0501 Email Address: cindi.bethel@hp.com
6. Basis of protest (including statement of facts and law upon which the protest is based)

We purchased property at 19 Richards Creek Road because of the Richards (Rock) Creek (SEE attached for detail)

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

7. What would resolve your protest? Deny the request to divert Rock Creek
#65-03111X and save several dozen homeowners
from losing their water.

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 20 day of April, 2011.

Cindi Bethel Carmona
Protestant

Protestant's Representative

Transfer 77121

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To whom it may concern:

Application of Protest to #65-03111X Transfer #77121 by EK Allen Ranch LTD Partnership
Current owner: Bruce M Smith (Attorney) and Allen Ranch LLLP (Transfer Applicant)

WATER RESOURCES
WESTERN REGION

(Current Water Right 65-01880 in name of Cindi Bethel-Carmona, 19 Richards Creek Road, Cascade, ID)

We purchased our cabin located at 19 Richards Creek Road and then filed for Water Rights in October of 2004.

One of the main reasons we purchased this cabin was because of Rock Creek (a.k.a., Richards Creek) running both behind and beside our property. This not only provides us with the pleasure of viewing and listening to running water it supplies our cabin with water.

If Water Right #65-03111X is granted to divert the water from our stream we will be greatly negatively impacted.

- Reduced value of the cabin should we sell
- Inability to pull water for bathing/cooking/cleaning
- Loss of aesthetic value
- Grandchildren lose learning and discovery area
- No water available for potential fires

I have heard that J.R. is a cattle rancher that wants our water for his cattle...yet they are always loose to drink directly from the Cascade Lake. I do not understand why he needs to drain water from our creek that has been supplying water to our little neighborhood for 100 years.

Please take into consideration our rights to continue to pull water and enjoy our Rock Creek stream as was intended.

Cindi Bethel-Carmona date 4/25/2011

Cindi Bethel-Carmona
10421 W Campville Street
Boise, Idaho 83709
208 672 0501

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 6-8-2011 Time 1:30 pm
\$25.00 fee Received by DB # W039305 Date 6-8-2011

Information for type: Transfer

Record	Application ID	Applicant	Existing Water Right Nos.	Proposed Water Right Nos.	Status	Received Date	Total Div. Rate (cfs)	Total Div. Vol (af)	Total Acres	Protest Deadline
4	77121	E K ALLEN RANCH LTD PARTNERSHIP (Current Owner), BRUCE M SMITH (Attorney), ALLEN RANCH LLLP (Transfer Applicant),	65-3111X,	65-3111X,	Active	3/16/2011	2.7		83	

TRANSFER NO. 77121

ALLEN RANCH LLLP

3166 CENTENNIAL AVE

BOISE ID 83706, has filed Application No. 77121 for changes to the following water rights within County: VALLEY

Applicant's Statement of Purpose: records correction

Purpose of Transfer	Water Right Number
Add Point of Diversion	65-3111X
Change Point Of Diversion	65-3111X

Right No. 65-3111X

Priority Jun 1 1894 12:00AM

Source UNNAMED STREAM,

Use IRRIGATION(83 acres) 2.7 CFS,

Total Amount 2.7 CFS

Point(s) of Diversion

Township	Range	Section	OOO	QQ	Quarter	GovernmentLotNumber
13N	03E	3		NW	SE	

Place Of Use

Place of Use Legal Description: IRRIGATION VALLEY County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
13N	03E	3	8	NENE	23	7	NWNE	21		SWNE	8		SENE	31

Total Acres: 83

The purpose of the transfer is to change the above rights a follows:

Proposed Right No. 65-3111X

Priority Jun 1 1894 12:00AM

Source UNNAMED STREAM,

Use IRRIGATION(83 acres) 2.7 CFS,

Total Amount 2.7 CFS

Township	Range	Section	OOO	OO	Quarter	GovernmentLotNumber
13N	03E	3	SW	SE	NE	
13N	03E	3	NE	NW	SW	

Place Of Use

Place of Use Legal Description: IRRIGATION VALLEY County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
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