

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF PROTEST
43-13680

July 12, 2010

RECEIVED
JUL 12 2010
DEPARTMENT OF
WATER RESOURCES

RECEIVED

JUL 14 2010
DEPT. OF WATER RESOURCES
SOUTHERN REGION

1. Matter being protested

Notice of Application for Permit No. 43-13680 for William K. Wickel

2. Name of protestant

United States Department of the Interior
Bureau of Land Management
Idaho State Office
1387 South Vinnell Way
Boise, Idaho 83709-1657

3. Protestant's Representative for service (if different than protestant)

Fredric W. Price (contact person)

4. Service mailing address

same as above

5. Service telephone no.

(208) 373-3831

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

The applicant is not authorized to use the public land for a stockwater facility as described in the Notice of Application for Permit No. 43-13680 for Place of Use (POU) within:
T13S, R25E, S23, SWSW

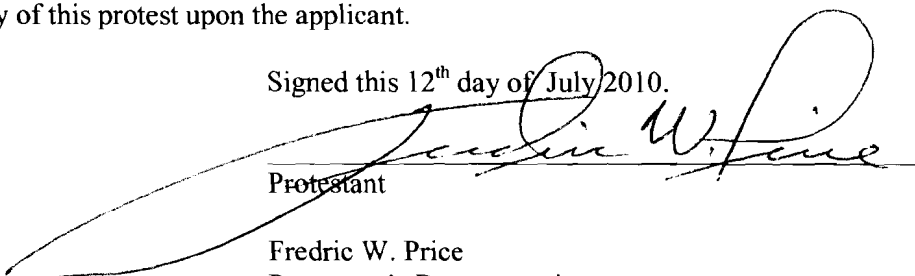
7. What would resolve your protest?

1) The place of use location in the notice is a typo and should be at the point of diversion SWNW, S23, T13S, R25E, as described in the Application for Permit; Ident. No. 43-13680.

7/12/10
C091326
SF

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 12th day of July 2010.


Protestant

Fredric W. Price
Protestant's Representative

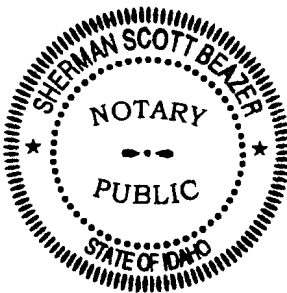
Attachments:

- ◆Map prepared by BLM for illustrative purposes.
- ◆Master Title Plat: T13S, R25E.
- ◆Notice of Application for Permit No. 43-13680 for William K Wickel.

NOTARY:

Subscribed and sworn to before me on this 12th day of July 2010

(Seal)





Sherman Scott Beazer
Notary Public in and for: State of Idaho
Residing at: Boise, Idaho
My Commission expires: December 10, 2015

FOR DEPARTMENT USE ONLY

Received by SR7

Date 7-12-2010

Fee Paid \$25.00

Date 7-12-2010

Received by SR7

Receipt # C091326

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WATER RESOURCES

CERTIFICATE OF SERVICE

I certify that on July 12, 2010, I served a true and correct copy of the **“Protest of Notice of Application for Permit No. 43-13680 for William K. Wickel”** with enclosures upon the following individuals by placing the documents in the United States mail in Boise, Idaho, postage paid, and addressed as follows:

Original to:

Idaho Department of Water Resources
Idaho State Office
P.O. Box 83720
322 East Front Street
Boise, Idaho 83720-0098

Copies to:

Idaho Department of Water Resources
Southern Region
1341 Fillmore St., Suite 200
Twin Falls, Idaho 83301

William K. Wickel
1762 South Elba Almo Road
Malta, ID 83342

Steve Davis, Hydrologist
U.S., Department of the Interior,
Bureau of Land Management,
Burley Field Office (MS-220)
15 East 200 South
Burley, Idaho 83318

Scott Barker, Reality Specialist
U.S., Department of the Interior,
Bureau of Land Management,
Burley Field Office (MS-220)
15 East 200 South
Burley, Idaho 83318

Brandon Anderson
Person Serving Documents (print name)

Brandon Anderson
Signature of Person Serving Documents

IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE STREET-STE# 200
TWIN FALLS ID 83301
Phone: 736-3033 Fax: 736-3037

June 23, 2010

ATTN RUBY AUFDERHEIDE
LEGALS DEPARTMENT
TIMES NEWS
PO BOX 548
TWIN FALLS ID 83303-0548

Dear Ruby:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper.

We have inserted the required publication dates. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Administrative Assistant

Enclosure

NOTICE OF APPLICATION FOR PERMIT

The following application has been filed to appropriate the public waters of the State of Idaho, Cassia County:

Application for Permit No. 43-13680

WILLIAM K WICKEL

1762 SOUTH ELBA ALMO ROAD

MALTA ID 83342

Point of Diversion: SWSWNW, S23, T13S, R25E

Source: WICKEL HOUSE SPRING Tributary CASSIA CREEK

Use: STOCKWATER, 01/01 to 12/31 (0.04 CFS)

Date Filed: 6/7/2010

Place Of Use: SWSW, T13S, R25E *BLM*

Application proposes to divert up to 0.04 cfs from an unnamed spring, locally known as Wickel House Spring, for stockwater purposes. The point of diversion is proposed to be located within the spring, located approximately 2.5 miles east & 4.7 miles north of Elba. Applicant proposes to use the water for troughs associated with corrals located on ground adjacent to the spring.****Permit will be subject to all prior water rights. For specific details regarding the application, please contact IDWR Southern Regional Office at 208-736-3033 or visit the website for the Department at

<http://www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp>**** Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St.-Suite 200; Twin Falls, ID 83301 with a protest fee of \$25.00 on or before July 19, 2010.

The protestant must also send a copy of the protest to the applicant.

Gary Spackman, Interim Director

Published in the Times News on 7/1 & 7/8/10.



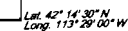
23

13S 25E

SWNW

SWSW
BLM

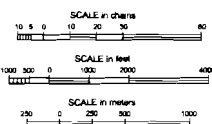
CASSIA COUNTY
BURLEY DISTRICT SEC 3

MT PLAT[illegible]

See Cadastral Plat approved 12/05/2007 for official
acres affecting legal subdivisions:
Sec 2

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LAND REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

FILE REF: ID08013052545EAM100000a.cmg	
CONVERTED TIME: 08/27/2005	BY: ST
LAST UPDATED: 02/07/2008	BY: LFM
QCAC #1:	QCAC #2:
POSTED TO PUBLIC RECORDS:	February 7, 2008
BY:	
PUBLIC LAND SURVEY SYSTEM (PLSS)	
BLM GCDS ACQUIRED:	04/28/2005
OTHER:	N/A
PROJECTED COORDINATE SYSTEM: UTM ZONE 12N, NAD 1983	
NOTES:	
USE PLATS:	



No warranty is made by the Bureau of Land Management. The accuracy, reliability, or completeness of these data for individual use or aggregate use with other data is not guaranteed.