

07/2008

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF PROTEST

RECEIVED

OCT 05 2009

Department of Water Resources
Eastern Region

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 Proposed Change of Water Right Transfer no. 75 916
2. Name of protestant Dallan A. Nalder
3. Protestant's Representative for service (If different than protestant)

4. Service mailing address 1250 S. 21000 W. Holbrook Id 83243
5. Service telephone no. 208 698-3532 Email Address: dallan.nalder@hotmail.com
6. Basis of protest (including statement of facts and law upon which the protest is based)
See attached sheet

(additional pages may be attached to describe nature of the protest)
7. What would resolve your protest? See attached sheet

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 1st day of OCT, 2009.

Dallan A. Nalder
Protestant

Protestant's Representative

\$25.00 Receipt # E035387

OCT 05 2009

Department of Water Resources
Eastern Region

#6

A Critical Groundwater Management Area was established on March 15, 1976 for Curlew Valley. Doesn't this mean no new wells or permits in Curlew Valley for irrigation?

How can water right 17-7165 be transferred to Western Heritage Homes Inc. when ownership of water right, existing well, and land where well is located belong to Blue Hills L.L.C.? Will the existing well (17-7165) be abandoned and capped? If Blue Hill continues to use this well, then I contend that Western Heritage is drilling a new well in Curlew Valley.

The portion of well permit 17-7063 to be transferred to Heritage Homes, again, belong to Blue Hills (land and well). How will you determine that Heritage Homes will be pumping only their allocation and Blue Hill pumping only their allocation?

Many of the wells in the Curlew Valley are pumping much less than they were 20 years ago. Two wells, both $\frac{1}{2}$ to $\frac{3}{4}$ of a mile from Heritage Homes proposed well site, are pumping only half the water they pumped in the late 1990's. Both of these wells have been reconditioned and cleaned. One of them has been deepened from 150' to 300'. It is not feasible to keep chasing for water.

Heritage Homes own house wells maybe seriously effected with an irrigation well setting so close. Is it cost effective to drill a 200' well to irrigate 11.6 acres minus two home sites?

#7

Meter Blue Hills and Heritage Home wells or Heritage Home buys its water from Blue Hills.

In 1976 Water Resources did a study to determine the closing of Curlew Valley to irrigation wells but was not complete. I propose another study be done to complete unanswered questions, i.e. feasibility of deepening wells with costs of electricity and equipment and crop prices as they are?