

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 09 2009

NOTICE OF PROTEST

WATER RESOURCES
WESTERN 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 Application for Permit # 65-23244
2. Name of protestant Joanne C. Lakey
3. Protestant's Representative for service (if different than protestant)
Clarence D. Link Estate
4. Service mailing address 177 Brownlee Rd.
5. Service telephone no. 208 793 2858 Email Address: NONE
6. Basis of protest (including statement of facts and law upon which the protest is based)

Water has not been coming down to the Link property as it once was, particularly since Mr. Dean put in several ponds up above the Link property. There is not enough water to irrigate (ditch) with.
(Additional pages may be attached to describe nature of the protest)

7. What would resolve your protest? To remove any ponds that have been established in the last three years without permits and to leave the water flowing without any further development.

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 9 day of March, 2009.

Joanne C. Lakey
Protestant Link Estate

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.

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.
-

FOR DEPARTMENT USE ONLY

Received by Jmh Date 3-9-09 Time 3:56pm
\$25.00 fee Received by Jmh # W037239 Date 3-9-09

Louie Gorrone
Attorney at Law
ISB #538
P. O. Box 637
Emmett, Idaho 83617
Telephone: 208/365-2421

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BOISE,
MAGISTRATE DIVISION

In the Matter of the Estate of

LORNA R. LINK,
Deceased

Case Number CU-07-37

LETTERS TESTAMENTARY

The will of LORNA R. LINK, deceased, having been admitted to informal probate, JOANNE C. LAKEY, is hereby appointed Personal Representative of said estate.

WITNESS: Roger Cockrille, Magistrate of the District Court,
County of Boise, State of Idaho, with the seal of the Court affixed the 21 day of
Feb, 2007.

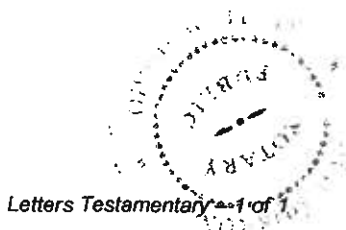
Roger Cockrille
Print Name: _____
Magistrate Judge.

STATE OF IDAHO,)
County of Gem) ss.

I, JOANNE C. LAKEY, hereby accept the duties of Personal Representative of the estate of LORNA R. LINK, deceased, and does solemnly swear that she will perform, according to law, the duties of Personal Representative of the said estate.

Joanne C. Lakey
Joanne C. Lakey

SUBSCRIBED AND SWORN TO before me this 15th day of February, 2007.



Louie Gorrone
Print name: Louie GORRONE
Notary Public for the State of Idaho
Residing at Emmett Idaho 83617
My Commission Expires 2009

COPY

Louie Gorrono
Attorney at Law
ISB #538
P. O. Box 637
Emmett, Idaho 83617
Telephone: 208/365-2421

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BOISE,
MAGISTRATE DIVISION

In the Matter of the Estate of

CLARENCE D. LINK,
Deceased

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)
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)
)

Case Number CV-07-38

LETTERS TESTAMENTARY

The will of CLARENCE D. LINK, deceased, having been admitted to informal probate, JOANNE C. LAKEY, is hereby appointed Personal Representative of said estate.

WITNESS: Robert E. Cockrell, Magistrate of the District Court,
County of Boise, State of Idaho, with the seal of the Court affixed the 21 day of
FEB., 2007.

Robert E. Cockrell
Print Name: Robert E. Cockrell
Magistrate Judge

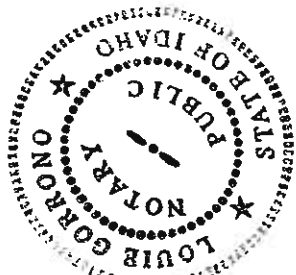
STATE OF IDAHO, ss.

County of Boise ss.

I, JOANNE C. LAKEY, hereby accept the duties of Personal Representative of the estate of CLARENCE D. LINK, deceased, and does solemnly swear that she will perform, according to law, the duties of Personal Representative of the said estate.

Joanne C. Lakey
Joanne C. Lakey

SUBSCRIBED AND SWORN TO before me this 15th day of February, 2007.



Letters Testamentary - 1 of 1

Louie Gorrono

Print name:

Notary Public for the State of Idaho

Residing at

My Commission Expires 2009