

HOFSTETTER LAW OFFICE

608 West Franklin Street
Boise, Idaho 83702

Dana@IdahoWaterLaw.com

Dana L. Hofstetter
Attorney at Law

Telephone: (208) 424-7800
Facsimile: (208) 424-8774

October 20, 2008

RECEIVED

OCT 20 2008

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Via Hand Delivery

Idaho Department of Water Resources
Southern Regional Office
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301

Re: Application for Permit No. 37-22354
Application for Transfer No. 73743

Dear Sir/Madam:

Enclosed are two (2) original Protests to be filed in each of the above-referenced matters on behalf of Indian Creek Ranch Owners Association, Inc. along with two (2) checks to cover each of the filing fees. Also enclosed are copies of each of the Protests.

Please file the two (2) originals and conform a copy of each Protest and return the conformed copies to me in the enclosed addressed and stamped envelope along with the receipts. Please contact me if you have any questions about this matter. Thank you for your assistance with this matter.

Sincerely,

HOFSTETTER LAW OFFICE, L.L.C.



Dana L. Hofstetter

Enclosures
4082.1/8196

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF PROTEST

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DEPT. OF WATER RESOURCES
SOUTHERN REGION

This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, 42-222 and 42-224, 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 No. 37-22354 in the Name of Jean-Pierre and Connie Chesnel

2. Name of protestant Indian Creek Ranch Owners Association, Inc.

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

Dana L. Hofstetter, Hofstetter Law Office, LLC

4. Service mailing address 608 West Franklin Street, Boise, Idaho 83702

5. Service telephone no. (208) 424-7800 Email Address: Dana@IdahoWaterLaw.com

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

Potential impacts of the proposed water use to other water right holders, potential reduction in the quantity of water under existing water rights, the water supply may be insufficient for the proposed purpose, and/or possible conflict with the local public interest. See Idaho Code § 42-203A. Protestant reserves the right to identify additional concerns as further information becomes available.

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

7. What would resolve your protest? More information about the proposed use that would establish no potential impacts. Denial or appropriate conditions, as needed, to address any such possible impacts.

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 20th day of October, 2008.

Protestant



Protestant's Representative

For Office Use Only

\$25.00 filing Fee

Receipt # SC 30 482

Date 10/20/08

SG