

November 26, 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF PROTEST

RECEIVED
FEB 19 2008
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, 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 Notice of Proposed Change of Water Right transfer # 73951
2. Name of protestant Sid Ashcraft
3. Protestant's Representative for service (If different than protestant)
4. Service mailing address 2504 N Lennor Mesa AZ 85207
5. Service telephone no. 480-784-7139
6. Basis of protest (including statement of facts and law upon which the protest is based)

see attached.

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

7. What would resolve your protest? for Mud Lake Water Users to remove their pump + no longer pump water out of Rays Lake.

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 14 day of February, 20 08Sidney J Ashcraft

Protestant

Protestant's Representative

Receipt
E033774.

From:
Sid Ashcraft Hamer, ID
83425
(480)794-1552 Home
(480)784-7139 Cell

Basis of Protest

Mud Lake Water Users have no right to pump at this Point of Diversion. NW SW SE Sec25, T7N, Rge 35 EBM. In SRBA, Case No. 39576, January 16 2002, Special Master Bridgette Bilyea informed Mud Lake Water Users that they had no Point of Diversion of water right at this Point and that installing a pump and pumping this water illegally did not establish a Priority or Right at this Point.

Mud Lake Water Users then reached an agreement with Sid and Jana Ashcraft, Water Right No. A31-10499, A31-00203, A31-205, A31-00351 and Perry Woodard, Water Right No. A31-00262, A31-02461 to settle this matter.

Mud Lake Water Users continued to use this pump. On July 18 2006, Tim Luke notified Greg Shenton, Water Master for District 31 to cease further diversion of water from Ray's Lake by July 21, 2006. No further diversion of water should occur unless specifically authorized by IDWR.

Mud Lake Water Users then applied to SRBA to reopen adjudication to add a Point of Diversion. This request was denied.

Mud Lake Water Users now want to add a Point of Diversion to a water right that pumps out of Mud Lake at a Point of Diversion that pumps water into Mud Lake - water that they have no Water Right to pump. This is just another attempt to take Ray's Lake water.