

November 26, 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 19 2008

NOTICE OF PROTEST

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 water rights transfer
NO 73951
2. Name of protestant Perry Woodard
3. Protestant's Representative for service (If different than protestant)
None
4. Service mailing address Box 85 Hamer, ID 83425
5. Service telephone no. 208 642-5477
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? Remove this pump and stop
pumping Boys Lake water.

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 Feb, 20 08

Perry Woodard
Protestant

Protestant's Representative

Receipt
#E033774

February 13, 2008

From:

Perry Woodard

Hamer, ID 83425

(208) 662-5477 Home

(208) 709-5477 Cell

RE: Notice of Protest

There is 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 Jan Ashcraft, Water Right No. A31-10499, A31-00203, A31-205, A31-00351 and Perry Woodard, Water Rights 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.

If Mud Lake Water Users have a problem with the ground water leaking through their headgates, they need to correct this problem, not add a Point of Diversion where no ground water exists.