

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF PROTEST



1. Matter being protested is the change of use on water right no. 75-2003
2. Name of protestant is Arne Vetthus.
3. Representing himself.
4. 34 Coiner Lane, Salmon ID 83467
5. 208 940-1117 (Cell) 208 756-2776 (Home)
6. Information detailed on transfer application to IDWR dated 3-31-2006, transfer no. 73262, regarding water right no. 75-2003 is inaccurate, misleading and potentially jeopardizes the use of our water right that was issued same year, two days later. Applicant requests to "add nature of use" for this water right to justify a pond. Water right no. 75-2003 specifies irrigation and stock water. The body of water referred to in Part 1, 6a as a head gate for stock water, is in reality a fish pond constructed by applicant, excavated, with an earthen dam, stocked by the applicant for recreational use. Part 1, 6d states that the diversion dam created a small pond, but in reality the earthen dam constructed in the 1990's created the pond, and the pond interrupts the flow of the natural stream.

Department of Water Resources
Eastern Region

AUG 20 2007

RECEIVED

Regarding the .07 acres allegedly dried up from agricultural irrigation to provide the extra water for the pond is misleading. There has been no flood irrigating or pumping out of Little Fourth of July Creek for agricultural irrigation since 1984 on the claimants property. Irrigation prior to 1984 for agriculture is dubious as there are no vestiges of flood irrigation ditches in the proximity indicated on the maps, pages 5 and 6 of transfer application.

The water usage for agricultural irrigation does not match the maps, pages 5 and 6 of application. These maps intend to create a water usage of 7.8 acres of irrigated land from Little Fourth of July Creek that is non existent.

Lastly, there have been complaints from the applicant regarding flow of water to the recreational pond such as, water too warm, too much algae, or too little of water which may be harmful to his fish. Over these past several years, we have reduced our agricultural irrigation in order to accommodate the applicant's 67' x 143' triangle shaped, recreational fish pond.

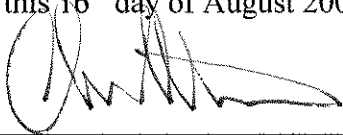
(Cont. page 2)

Receipt
#E033259

7. In order to resolve this protest, it will be essential, irregardless of the priority date 1913 (which is two days earlier than mine), that the historic water use on nos. 75-7027 and 75-4001, combined with the 1973 water license would validate these water claim amounts to be satisfied prior to the applicant's 1913 agricultural irrigation claim no. 75-2003.

I hereby, acknowledge that if I, or my designated representative, fail 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 the failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 16th day of August 2007



Arne Vetrhus
Protestant

Department Use Only

Received by R. Fred Date 8/17/07 Time 1:08 pm.

\$25.00 fee Receipted by _____ # _____ Date _____

August 16, 2007

IDAHO DEPT OF WATER RESOURCES
Mr. Bob Foster
Salmon Regional Office
208 756-6644

Dear Bob,

Enclosed you will find documents regarding the water rights on Little Fourth of July Creek we spoke about the other day.

Hallen's application for transfer of water right, no. 73263, 6 pages and 1 page of calcs on the 67' x 143' pond. Additional 2 pages on Hallen Transfer No. 73263.

The 2 page Notice of Protest with Arne's signature and check #277 for 25.00 to IDWR. The legal notice that ran in the Recorder Herald and copies of our water rights out of Little Fourth from IDWR, preliminary recommendation of water rights.

Again I would like to thank you for your time regarding this matter. Feel free to call either Arne or myself if you have any questions.

Respectfully,



Patty Vetrhus
Post Office Box 4069
Diamond Bar CA 91765
208 756-7091 (Cell)
208 940-1117 (Arne's Cell)

* Please note that we sent Rob Hallen an original Notice of Protest signed by Arne. He also told him personally, Tues. August 14th that he intended to file the protest.