

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

NOTICE OF PROTEST

RECEIVED  
OCT 26 2005  
Department 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, 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 TRANSFER # 72150 IN THE NAME OF SALMON FALLS LAND AND LIVESTOCK
2. Name of protestant JEFF HAMMACK - SANDRA HAMMACK
3. Protestant's Representative for service (If different than protestant) JEFF & SANDRA HAMMACK  
899 E. 4800 N.  
BUHL, ID 83316
4. Service mailing address 899 E 4800 N BUHL ID 83316
5. Service telephone no. 208-543-5232
6. Basis of protest (including statement of facts and law upon which the protest is based)  
TRANSFER DOES NOT MEET REQUIREMENTS OF IDAHO CODE 42-222  
1. CAUSE INJURY TO OTHER WATER RIGHTS  
2. CAN CAUSE ENLARGEMENT OF USE IN ORIGINAL RIGHT  
3. INCONSISTENT WITH CONSERVATION OF WATER RESOURCES WITHIN STATE OF IDAHO.  
(additional pages may be attached to describe nature of the protest)
7. What would resolve your protest? MORE INFORMATION NEEDED ON THE OPERATION OF THE PROPOSED FACILITY BEFORE THIS CAN BE ADDRESSED.

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 15<sup>TH</sup> day of October, 2005

JEFF HAMMACK  
Protestant

\_\_\_\_\_  
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.

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## 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. 72150 in the name of SALMON FAULTLAND & LIVESTOCK."
  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.
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## FOR DEPARTMENT USE ONLY

Received by Ush Date 10/26/05 Time 10:00 AM  
\$25.00 fee Received by Ush # 5028107 Date 10/26/05

#6. CONTINUE -

4. IMPACT ON AIR QUALITY.
5. IMPACT ON MORE TRAFFIC