

11/99

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF PROTEST

RECEIVED
OCT 17 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, 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 TRANSFER NO. 72150 IN THE NAME OF SALMON FALLS LAND AND LIVESTOCK
2. Name of protestant THE KATHRYN AND MICHAEL SIMMONS
3. Protestant's Representative for service (If different than protestant)
 **Mike Simmons**
169 Thatcher Pl.
Buhl, ID 83316-5019
4. Service mailing address 169 THATCHER PLACE
5. Service telephone no. 208-543-4123
6. Basis of protest (including statement of facts and law upon which the protest is based)

IT DOES NOT MEET THE REQUIREMENTS OF IDAHO CODE 42-222 IN THAT IT COULD CAUSE INJURY TO OTHER WATER RIGHTS IT LIKELY CONSTITUTES AN ENLARGEMENT IN USE OF THE ORIGINAL RIGHT AND IS INCONSISTENT WITH THE CONSERVATION OF WATER RESOURCES AND IT WILL NOT BE IN THE BEST INTERESTS OF THE PUBLIC IDAHO
(additional pages may be attached to describe nature of the protest)

7. What would resolve your protest? WE WANT ~~DATA~~ GUARANTEES THAT THERE WON'T BE RUNDAPS FROM THEIR OPERATIONS - WE NEED MORE INFORMATION AS TO WHAT THEY ARE DOING. WE WANT TO BE ASSURED THE ODOR + MANURE WON'T FIND ITS WAY TO OUR AREA. THE AREA AROUND US IS SATURATED WITH ODORS AND IF THE PREVAILING WIND BLOWS FROM THE WEST IT

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.

WILL AFFECT FROM EVERY DIR SECTION

Signed this 5th day of OCTOBER, 2005

Kathryn Simmons
Protestant

Protestant's Representative

10/17/05
C. Hahn
5028071