

November 26, 1999

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

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FEB 16 2006

Department of Water Resources  
Eastern Region

NOTICE OF PROTEST

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 # 13-4214, Cynthia K Hull's Statutory Claim there of,
2. Name of protestant Steve Hull
3. Protestant's Representative for service (If different than protestant)

4. Service mailing address 6898 E. Cub River Rd, Preston ID, 83263

5. Service telephone no. (208) 852-1287

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?

See attached

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 February, 2006

Steve Hull

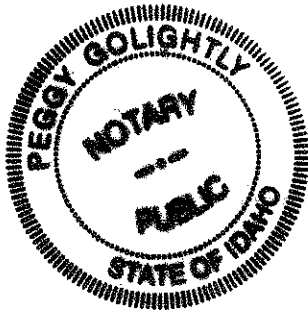
Protestant

Protestant's Representative

Receipt  
# 2031649

State of Idaho  
County of Franklin

On this 15 day of February, 2006, before me, a Notary Public in and for said State, personally appeared Steven Hull, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same. In witness whereof I have set my hand and affixed my official seal the day and year in this certificate first above written.



Peggy Golightly  
Notary Public State of Idaho  
Residing at: Preston ID  
Commission Expires: 7-21-11

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Department of Water Resources  
Eastern Region

Feb. 14, 2006

RE: Notice of Protest against Statutory Claim / Change of Ownership Application # 13-4214 filed by Cynthia Keller Hull. And Supplemental Information Concerning Cynthia Keller Hull's Protest Of My (Steve Hull) Application of Water Right Of Ranch Spring #13-7667

To Whom It May Concern:

In 1998, Cynthia, as my wife and I made the decision to disconnect the spring in question (here to fore referred to as the ranch spring) from our family log home (now Cynthia's house via divorce) and connect it to our new home (now my house via divorce). In the summer of 1998 we REDEVELOPED the spring behind the log home (Cynthia's house) and connected it to the log home with the plans of selling or renting it. We disconnected the ranch spring because we both agreed that we did not want water rights from the ranch to go with that house if it sold. For 2.5 years there was no water from the ranch spring to the log home or it's property. In the summer of 2001 we were doing some drain work behind the log home (then a rental), at that time, being that the pressure was better on the ranch spring to help renters keep the lawn green, we installed an outside facet they could use to water the lawn. I maintained this outdoor facet from the ranch spring for Cynthia's use after our divorce in 2003 until in response to her advising me that she had retained legal counsel to obtain ownership of the water in Oct. 2005. At this time, I reluctantly obtained legal advise which was to shut off the water from the ranch spring.

So, Cynthia's written statement, "I want to protect and retain my water rights from this spring that has gone to my property for over 50 years", is not the case: The ranch spring was totally and utterly disconnected from what is now her property from 1998 to 2001, since then there has only been an outside facet for watering.

Another and very important way Cynthia's statement does not hold water, so to speak, is the fact that my father, Clair Hull made his filing on the ranch spring in 1983. In so, his generalizations for simplicity sake of a 1953 priority date are not quite accurate. His home, the home I was raised in, was built in 1953 on what is now Cynthia's property. In 53 he developed the spring behind his house, not the ranch spring, rather the same spring that Cynthia's house is currently connected to and the same spring that Cynthia filed claim to on Dec. 02, 2005 #13-7666 in which she states, "this spring I have used for the last 7 years as MY PRIMARY SOURCE OF WATER FOR MY HOME". My father used this spring from 1953 for his home until 1969 when he developed the ranch spring and connected it to his house. My mother, four older siblings, myself and others can all attest to this fact. Consequently, this 1953 priority date applies to the spring Cynthia's residence is already connected to, not the ranch spring.

What Would Resolve This Protest?

I pray that you would rightfully grant Cynthia a statutory claim to the spring that was first used by her property in 1953 to 1969 then again from 1998 to the present, negating her claim to and her protest of my rights to the ranch spring. Please consider the fact that the ranch spring is my SOLE SOURCE of culinary water, that it originates on my ranch, and has been earned by three generations of my family's hard work.

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