

11/99

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF PROTEST

RECEIVED
OCT 21 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 of Transfer No. 72178 in the name of Diamond A. Livestock, Inc.
2. Name of protestant LeAnn Reed
3. Protestant's Representative for service (If different than protestant)
-NONE
4. Service mailing address 2094 Hwy. 46 Gooding Idaho 83330
5. Service telephone no. (208) 934-8237
6. Basis of protest (including statement of facts and law upon which the protest is based)
The mixing of this water (72178) with the livestock ~~stock~~ water and changing its use from agricultural to commercial does not meet Idaho Code 42-222. (Livestock water right). It seems that for many years Diamond A. Livestock, Inc. has been using stock water rights for unauthorized purposes. Changing only water use removes any possible "grandfather" clause. (additional pages may be attached to describe nature of the protest)
7. What would resolve your protest? I want to know where and be able to see the two acres to be set aside. I want proof that the commercial truck wash will not lower the ground water table and that this commercial use will not contaminate the ground water table or any point source. I want proof that the transfer meets Idaho Code 42-222. I also want proof that Diamond A. Livestock, Inc. has not been in violation of Idaho Code 42-222 all of these years.

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 20 day of October, 20 05

LeAnn Reed
Protestant

-none
Protestant's Representative

So 28095
TW
10/21/05