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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
OCT 21 2005
Department of Water Resources
Southern 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 Application Transfer # 72178 in the name of Diamond A. Livestock, Inc.
2. Name of protestant Nicole Reed
3. Protestant's Representative for service (If different than protestant)
- NO -
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)

Mixing this water (72178) with the livestock water and changing use from agricultural to commercial does not meet Idaho Code 42-222 (livestock water rights). It seems that for years Diamond A. Livestock, Inc. has been using stock water rights for unauthorized purposes. Changing any water use removes "grandfather" clauses.
(additional pages may be attached to describe nature of the protest)

7. What would resolve your protest? Proof that the commercial truck wash will not lower the ground water table or this use will not contaminate any riparian or point source runoff. Proof of the location of the 2 acres to be set aside - where is it located so I can see it is not being irrigated. Proof that the transfer meets Idaho Code 42-222. Proof that Diamond A. Livestock, INC. has not been in violation of this law (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 21st day of October, 20 05

Nicole Reed
Protestant

- NO -
Protestant's Representative

So 28093
TW
10/21/05