

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 for Transfer No. ~~72177~~ ⁷²¹⁷⁸ (Track Wash) and No. ~~72178~~ ^{72178 (Irr)} in the name of Diamond A. Livestock, INC.
2. Name of protestant Polly Ann Huggins
3. Protestant's Representative for service (If different than protestant)
NONE
4. Service mailing address P.O. Box 382 Gooding, ID 83330
5. Service telephone no. (208) 934-5529
6. Basis of protest (including statement of facts and law upon which the protest is based)

Only two acres are to be dried up (37-21491) and water used at the new facility that irrigated 158 acres under two pivots, however it is unlikely that the system or its operation will be modified subsequent to this transfer. I am concerned about them moving this water to commercial uses and using more (additional pages may be attached to describe nature of the protest) water and drawing down the water table. Mixing this water with the *

7. What would resolve your protest?
Proof that the transfer meets Idaho Code 42-222 and proof that Diamond A. Livestock has not been in violation of the law all of these years. Proof that using water for commercial purposes will not effect surrounding ground water ^{3rd} lower or contaminate surrounding domestic wells. Proof and location where 2 acres not irrigated are at!

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.

5028096
10/21/05
TW

Signed this 21st day of October, 2005

Polly Ann Huggins

Protestant

N/A

Protestant's Representative

* Water from the livestock water right (No. 72177) does not meet requirements of Idaho Code 42-222. It would appear that for many years Diamond A. Livestock has been using a stock water right for unauthorized purposes.