

11/99

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF PROTEST

RECEIVED
OCT 24 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 TRANSFER WATER RIGHTS # 72177 & 72178

2. Name of protestant DIAMOND A. LIVESTOCK, INC.

3. Protestant's Representative for service (If different than protestant)

4. Service mailing address 2154 B. HWY 46 GOODING IDAHO

5. Service telephone no. 934-5560

6. Basis of protest (including statement of facts and law upon which the protest is based)

THIS APPLICATION DOES NOT MEET THE REQUIREMENTS
OF IDAHO CODE 42-222. IT WOULD APPEAR THAT FOR
YEARS DIAMOND A. HAS BEEN USING A STOCK WATER RIGHT
FOR UNAUTHORIZED PURPOSES. GROUNDWATER WILL CONTAMINATED
DOWNSTREAM WATER IN AQUIFER. (additional pages may be attached to describe nature of the protest)

7. What would resolve your protest? PROOF THAT THIS TRANSFER WILL
MEET IDAHO CODE 42-222 & PROOF THAT DIAMOND
A HASN'T BEEN IN VIOLATION OF THE LAW ALL 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 23 day of OCTOBER, 20 05.

Christina Davis
Protestant

Protestant's Representative

5028103
10/24/05
JS