

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 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)

Transfer 72177 proposes development of a new truck washing facility. The existing well currently used by the old facility is to be used for the new facility. It is unlikely that the system to irrigate the 158 acres will be modified. I am concerned about them using much more water and drawing down the water. (additional pages may be attached to describe nature of the protest)
table. This application doesn't meet requirements of Idaho Code *

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 the water for commercial purposes (not agricultural) will not effect the surrounding ground water and lower or contaminate surrounding domestic wells.

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.

SO 28096
10/21/05

TW

Signed this 21ST day of October, 2005

Polly Ann Huggins
Protestant

N/A
Protestant's Representative

* 42-222. It would appear that for many years Diamond A. Livestock has been using a stock water right for unauthorized purposes.