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OCT 11 2024

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPT. OF WATER RESOURCES
EASTERN REGION

NOTICE OF PROTEST

This form may be used to file a protest under Sections 42-203A, 42-203C, 42-211, 42-222 or 42-240, Idaho Code. The Department will also accept a timely protest completed in a different format if it contains the same information requested on this form. Each protestant must provide a separate \$25 filing fee for each application protested. The Department's Rules of Procedure (IDAPA 37.01.01) require the protestant to **send a copy of the protest to the applicant.**

1. Matter protested. Application for ☐ Permit ☐ Amendment of Permit ☒ Transfer ☐ Exchange

No. 89232 in the name of Good Timber Ranch LLC

2. Protestant's Name: Susan Miller

Address: 10435 S 1750 W, Victor Idaho, 83455

Telephone: 307-413-9115 Email: suebmm11@gmail.com

3. Protestant's Representative: Michelle Mortimer

Address: 25 N 2nd E St. Rexburg, ID 83440

Telephone: 208 - 356-3633 Email: mmortimer@rex-law.com

4. Basis of protest. Clearly state your objections to approval of the application and identify the applicable review criteria. See Instructions for Filing a Notice of Protest for the relevant review criteria.

Susan jointly owns Water Right No. 22-13676 which is a senior water right downstream of Good Timber's proposed change. Good Timber's proposed change will injure the existing senior water rights and result in an enlargement of use of the junior water rights that are not frequently available and may have been forfeited for non-use. The proposed change is contrary to the conservation of water resources in Idaho and conflicts with the local public interest as it will impact the quantity and quality of the water available downstream. (Cont. on attached page)

(Additional pages may be attached to describe the basis of your protest.)

Identify any review criteria that are not a basis for your protest:

5. ☒ Check here if Protestant and Representative will accept service of documents by email at the email address(es) listed under Item #2 and #3 above.

I acknowledge that if I, or my designated representative, fail to appear at any regularly scheduled conference or hearing in the matter, of which I have been properly notified, 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.**

[Signature]
Protestant's or Representative's Signature

Michelle Mortimer-Representative
Printed Name and Title (if applicable)

10/10/24
Date

\$25.00 fee receipted by ctd

FOR DEPARTMENT USE ONLY

Receipt # E050423

Date 10/11/24

The proposed nature of use change under this application will significantly affect the agricultural base of the local area. Susan operates Snowdrift Farms II, a diversified, regenerative vegetable, herb, and flower business. The work that Good Timber has already done on its property has negatively impacted Susan's property. Good Timber has redirected the springs that originate on their land into perforated plastic pipes and directed the extra flow to land downstream. It is unknown what exact effect the proposed change will have on the surrounding property, but the concern is that the proposed change will injure the existing water rights and impact the ability to use the water for irrigation, recreation, and the other allowed uses downstream.

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October 10, 2024

IDWR Eastern Regional Office
900 N Skyline Dr. Ste A.
Idaho Falls ID 83402

RE: Protests to Good Timber Ranch LLC Transfer No. 89232

Dear Madam or Sir,

Please find enclosed four protests to the Good Timber Ranch LLC Application for Water Right Transfer. A single \$100 check to cover all four protest fees is included.

If you have any questions, please let me know.

Sincerely,



Michelle Mortimer