

Henman, Christina

From: Cedron Sod <cedronsod@gmail.com>
Sent: Monday, July 29, 2024 12:29 PM
To: Henman, Christina; IDWR File; hermanabo@hotmail.com; Kristin.rmea@gmail.com; Jntdustin79@gmail.com
Subject: Re: 89107 Bowen Arrow Petition to Intervene
Attachments: 89107 Protest.pdf; proof of date.pdf; 89107 Copy of Protest.pdf; 89107 Acknowledgement of Protest, Request for Unavailability.pdf

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Hello Christina:

This email serves as our Petition to Intervene 89107. Please see our original protest which was sent and post marked on the due date. Please note that a department employee verbally advised me that as long as the Protest was postmarked on the due date along with the \$25 fee it would be valid. The contents of our protest are contained in the original protest which was sent to the department and attached. I've also attached a picture from the post office showing the letter postmarked on the advised date. Please confirm via email this satisfies the statutory requirements.

Thank you

Jake Kunz
\$25.00 - 7/29/24
Receipt: EOS0267

On Jul 29, 2024, at 12:09 PM, Henman, Christina <Christina.Henman@idwr.idaho.gov> wrote:

Jake,

As discussed on our call earlier, you may file a petition to intervene. Attached is a copy of the protest you sent, as well as the acknowledgement letter that lists the other involved parties and contains their contact information. If you would like a copy of the other protests filed against the application, please let me know and I can send those on to you as well.

The contents of the notice of protest you sent in meet most of the requirements for a petition to intervene, so you may use it as the 'base' of your petition to intervene. Because we already have your check for the \$25.00 filing fee, you may file the petition to intervene via email. Please make sure your email includes the following:

- Title includes '89107 Petition to Intervene'
- The body of the email should contain a brief explanation of why the protest arrived after the protest period ended, and request that the contents of the protest be used as the basis of

your petition to intervene. Please make sure the protest is attached to the email when you send it.

- Send the email to the following:
 - Me: Christina.henman@idwr.idaho.gov
 - IDWR E-File: file@idwr.idaho.gov
 - BOWEN ARROW LLC: hermanabo@hotmail.com
 - ROCKY MOUNTAIN ENVIRONMENTAL ASSOCIATES: Kristin.rmea@gmail.com
 - TODD DUSTIN: Jntdustin79@gmail.com
 - TETON RAINBOW RANCHES INC, 7215 S 4500 W, VICTOR, ID 83455

Below is a link to the Department's rules if you want to review them yourself. Those that apply to filing a Petition to Intervene are 350 and 351.

<https://adminrules.idaho.gov/rules/current/37/370101.pdf>.

Thank You,



Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161



Mailing Address: 5008 W 6750 S
Victor, ID 83455
Physical Address: 4650 W 5500 S
Victor, ID 83455

208-709-8293
www.cedronsod.com

RECEIVED

JUL 25 2024

DEPT. OF WATER RESOURCES
EASTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Filing Fee: \$25.00

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. 89107 in the name of Bowen Arrow LLC

2. Protestant's Name: Jacob & Cissie Kuntz / Double Bar D Ranch LLC / Cissie Kuntz / C Kuntz Holdings LLC / Cedron S&D LLC
Address: 5008 W. 6750 S Victor ID 83455
Telephone: 208-258-0329 Email: cedron.s&d@gmail.com

3. Protestant's Representative: Jake Kuntz
Address: 5008 W. 6750 S. Victor ID 83455
Telephone: 208-258-0329 Email: jakedkuntz@gmail.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.

Deep wells have already put a huge negative effect on our 1890 water right via Boquet Springs. A pond in the middle of the creek coupled with additional deep wells will permanently alter our water right and generational farm. The negative effect and impact on stream flow, wildlife, and farming will be irreversible in the name of development. Water rights are for agricultural purposes.

(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

Jake Kuntz Owner
Printed Name and Title (if applicable)

7/22/24
Date

FOR DEPARTMENT USE ONLY

\$25.00 fee received by _____

Receipt # _____

Date _____