

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MAY 21 2026

NOTICE OF PROTEST

IDWR/NORTH

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.**

1.1. Matter protested. Application for Permit Amendment of ___ Permit ☒ Transfer ___ Exchange.

No. 90376 in the name of Nicole Rogers and / or Robert A Rogers

2. Protestant's Name: Harry Russell and/or Janet Russell Address: Po Box 1311 Orting WA 98360 Telephone:
253-686-7135 or 360-551-0044 Email: hnrussell@comcast.net or russelljanet2009@gmail.com

3. Protestant's Representative: _____

Address: _____

Telephone: _____ Email: _____

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.

I/We are protesting the transfer of said water rights as described and requested in transfer 90376. Map dated 12/15/2008 shows the 2 springs above and the POD all are on LOT 7 of the Ought Seven Ranch Subdivision (121 Ought Seven RD, Kooskia Idaho 83539. The POD is located approximately 30ft from lot 8 property line. With an overflow that allows most of the water to continue down its natural path. The main POU is about centered on said lot 7 approximately 30 feet behind my house, with a T in the pipe to share water with lot 6 of the Ought Seven Ranch. I Cannot see anywhere that the stream was diverted off of Lot 8 of the Ought Seven Ranch. (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.**

Harry Russell Harry Russell 05/18/2026 Protestant's or
Representative's Signature Printed Name and Title (if applicable) Date

FOR DEPARTMENT USE ONLY

\$25.00 fee received by NS Receipt # N046044 Date 5-21-26