

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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. 86942 in the name of Rohn Nelson

2. Protestant's Name: Phil Moulton

Address: 178 Pratt Creek Road

Telephone: 208 940-0900 Email: prattcreekranch71@yahoo.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.

The ditch in question that would be called on to deliver this water does not have sufficient carrying capacity to handle additional water. It runs about 1 mile on a steep hillside and would be impractical to attempt to enlarge. Also, the right in question is for 16 cfs; this small amount of water would never reach its destination unless a significant (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.**

Phil Moulton
Protestant's or Representative's Signature

General manager,
Phil Moulton, Pratt Creek Ranch 10/20/2022
Printed Name and Title (if applicable) Date

FOR DEPARTMENT USE ONLY
\$25.00 fee received by SM Receipt # E048643 Date 10/20/22

unless a significant amount of additional water was diverted to help offset ditch loss.