

RECEIVED

Rev. 04/2022

MAY 06 2022

WATER RESOURCES
WESTERN REGION

STATE 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. 85639 in the name of IMH Boise Cimarron, LLC

2. Protestant's Name: Beranna Dairy

Address: 9166 Perch Rd. Caldwell, ID 83607-9702

Telephone: 208 484-5489 Email: bernieteunissen@gmail.com

3. Protestant's Representative: Daniel Steenson, Sawtooth Law Offices

Address: 1101 W. River St., Ste. 110, P.O. Box 7985, Boise ID 83707

Telephone: 208 629-7447 Email: dan@sawtoothlaw.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.

The proposed use change: will injure Beranna Dairy's water rights (transfer criteria ("TC") 1); will result
enlargement in use under the Applicant's existing water rights (TC 2); is contrary to the conservation
of water resources within the State of Idaho (TC 3); will conflict with the local public interest (TC 4).

The proposed change from agricultural use to develop 240 residential lots adjacent to Beranna Dairy, in the
midst of productive agricultural land, will significantly adversely affect the agricultural base of the local area (TC 6).

The Applicant is not entitled to develop its property as described in the transfer application.

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

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

Transfer criteria 5 and 7 are not a basis for this 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.

Daniel Steenson
Protestant's or Representative's Signature

Daniel Steenson
Printed Name and Title (if applicable)

5/5/22
Date

FOR DEPARTMENT USE ONLY

\$25.00 fee receipted by _____

Receipt # _____

Date _____