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DEPT OF WATER RESOURCES
SOUTHERN REGION

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APR 30 2021

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District #2 and Minidoka Irrigation District Eastern Region*

*Attorneys for A&B Irrigation District, Burley
Irrigation District, Milner Irrigation District,
North Side Canal Company, and Twin Falls
Canal Company*

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION FOR
TRANSFER NO. T84815

In the name of Brigham Cook

NOTICE OF PROTEST

A&B IRRIGATION DISTRICT, AMERICAN FALLS RESERVOIR DISTRICT #2,
BURLEY IRRIGATION DISTRICT, MILNER IRRIGATION DISTRICT, MINIDOKA
IRRIGATION DISTRICT, NORTH SIDE CANAL COMPANY and TWIN FALLS CANAL
COMPANY (the "Coalition" or "Protestants"), by and through their attorneys of record, file this
Notice of Protest to the approval of the above-numbered *Application for Transfer* filed by
BRIGHAM COOK (the "Applicant").

The initial bases for protest are as follows:

1. The surface water rights subject to the transfer may be stacked with other surface
water rights held by the Palisades Irrigation Co. Unstacking the water rights and irrigation of new
lands may lead to an enlargement.

2. The Applicant has failed to demonstrate that the transfer will not injure existing water rights and has failed to provide any proposed mitigation to offset impacts resulting from the transfer.

3. The Applicant has failed to show that the Application meets the criteria required by Idaho Code § 42-222.

4. For such other and further reasons as may be discovered or set forth at the hearing on this matter.

DATED this 26th day of April, 2021.

FLETCHER LAW OFFICE

 for

W. Kent Fletcher

*Attorneys for American Falls Reservoir
District #2 & Minidoka Irrigation District*

BARKER ROSHOLT & SIMPSON LLP



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*Attorneys for A&B Irrigation District, Burley
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North Side Canal Company, and Twin Falls
Canal Company*

CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of April, 2021, I served a copy of the foregoing

NOTICE OF PROTEST, by hand-delivery to the following:

Idaho Department of Water Resources
Southern Region
650 Addison Ave W, Ste 500
Twin Falls, Idaho 83301-5858

And by Mail to: Brigham Cook
4733 E. County Line Rd.
Ririe, Idaho 83443

Rocky Mountain Env.
482 Constitution Way, Suite 303
Idaho Falls, Idaho 83402



Travis L. Thompson

FOR OFFICE USE ONLY:

Receipt amount: \$50.00 Date: 4/26/2021
Receipt No. S038547 By: 

Idaho Department of Water Resources Receipt

Receipt ID: S038547

Payment Amount	\$50.00	Date Received	4/26/2021	Region	SOUTHERN
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Payment Type	Check	Check Number	1682
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Payer BARKER ROSHOLT & SIMPSON LLP

Comments NOTICE OF PROTEST FILED ON BEHALF OF A&B IRR. DIST, AMERICAN FALLS RES. DIST. #2, BURLEY IRR. DIST, MILNER IRR. DIST, MINIDOKA IRR. DIST, NORTH SIDE CANAL CO & TWIN FALLS CANAL CO AGAINST APPLICATION FOR TRANSFER 84815 IN THE NAME OF BRINGHAM COOK

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$50.00	PROTESTS	64103	0229	21		1155



Signature Line (Department Representative)