

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 22 2021

WATER RESOURCES
WESTERN REGION

NOTICE OF PROTEST

This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, and 42-222, Idaho Code. The department will also accept a timely protest not completed on this form if it contains the same information.

1. Matter being protested Application for permit number 63-35002 in the name of Boise State University
2. Name of protestant City of Boise
3. Protestant's Representative for service (If different than protestant)
Mary Grant, Deputy City Attorney
4. Service mailing address 150 N. Capitol Blvd.; PO Box 500, Boise, Idaho 83701

Service telephone no. (208) 608-7982

Email Address: mrgrant@cityofboise.org

5. Basis of protest (including statement of facts and law upon which the protest is based)

The Applicant (Boise State University, hereafter "BSU") proposes an appropriation from the Boise River for a project partially within the Protestant (the City of Boise) jurisdiction. By this application, BSU intends to divert the water for a non-consumptive use to improve habitat for fish and wildlife. Protestant has similar projects planned for downstream and protests for the purpose of monitoring and having input on conditions for other water users, including irrigators for this type of diversion, and getting additional information about the project infrastructure.

Protestant reserves the right to identify additional questions/concerns as further information becomes available.

6. What would resolve your protest? The City of Boise respectfully requests appropriate conditions to support the grant of the application. The City reserves the right to identify additional requests to resolve its protest.

I hereby, acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, 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.

Signed this 22nd day of March, 20 21.The City of Boise
ProtestantProtestant's Representative

NOTE:

A protestant is required to timely file a protest with the department together with a \$25.00 protest fee for each application being protested in order for the protestant to be considered a full party by the department. In addition, the department's Rule of Procedure, IDAPA 37.01.01203, requires a protestant to send a copy of a protest to the applicant.

INSTRUCTIONS

1. The matter being protested must be clearly identified. A typical matter is identified by the application number such as "Application for Permit No. in the name of _____" or "Application for Transfer No. _____ in the name of _____."
 2. Show the name of the protestant. Only one (1) protestant may be shown per protest form. If this protest form is signed by more than one person, the hearing officer will consider the first signer as the official protestant and the representative for service of documents.
 3. If the protestant is represented by an attorney or other authorized representative, show the representative's name. The department then will serve documents on the representative and upon the protestant if specifically requested.
 4. Show the address where the department is to serve the documents. This should be the address of the authorized representative unless the protestant does not designate a representative.
 5. Show the telephone number of the authorized representative unless the protestant does not designate a service representative.
 6. Specifically describe the nature of the protest.
 7. Describe the relief being sought by the protestant.
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Received by DL Date 03.22.2021 Time 3:41 pm
\$25.00 fee Receipted by DL # W049226 Date 03.22.2021