

Scott N. Pugrud, ISB No. 8883
IDAHO POWER COMPANY

1221 W. Idaho Street
P.O. Box 70
Boise, Idaho 83707
Telephone: (208) 388-6454
Facsimile: (208) 388-6935

spugrud2@idahopower.com

John K. Simpson, ISB No. 4242
BARKER ROSHOLT & SIMPSON LLP

1010 Jefferson St., Ste. 102
P.O. Box 2139
Boise, Idaho 83701-2139
Telephone: (208) 336-0700
Facsimile: (208) 344-6034

jks@idahowaters.com

Attorney for Idaho Power Company

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NOV 27 2020

Department of Water Resources
Eastern Region

RECEIVED

NOV 23 2020

WATER RESOURCES
WESTERN REGION

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

IN THE MATTER OF APPLICATION FOR
TRANSFER NO. 84490,

In the name of LCSC Enterprises LLC

NOTICE OF PROTEST

IDAHO POWER COMPANY (the "Protestant"), by and through its attorneys of record, files this *Notice of Protest* to the approval of the above-numbered *Application for Transfer* filed by LCSC ENTERPRISES LLC (the "Applicant").

The initial bases for the protest are as follows:

1. The source of water has been recognized as Trustwater by the State of Idaho as defined in IDAPA 37.03.08.031(a) and mitigation may be required consistent with the ESPA Transfer Spreadsheet, listed as attachment number 5, in the Application for Transfer.
2. The application and supporting documents fail to identify whether mitigation is

NOTICE OF PROTEST

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required due to impact on reaches below Milner.

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

DATED this 28th of November, 2020.

BARKER ROSHOLT & SIMPSON LLP



John K. Simpson
Attorneys for Idaho Power Company

CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of November, 2020, I served the original of the foregoing **NOTICE OF PROTEST**, by hand-delivering or depositing same in the U.S. Mail, postage prepaid, as indicated, addressed to the following:

Idaho Department of Water Resources
Idaho Water Center
322 East Front Street
Boise, Idaho 83702-7374

☐ U.S. Mail, Postage Prepaid
☒ Hand Delivery
☐ Overnight Mail
☐ Facsimile
☐ Email

LCSC Enterprises LLC
433 Las Colinas Blvd. E, Ste. 1290
Irving, TX 75039-5058

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivery
☐ Overnight Mail
☐ Facsimile
☐ Email

JCH Engineering & Consulting, PLLC
Jason C. Helms, P.E.
6755 N. Albert Lane
Idaho Falls, ID 83401

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivery
☐ Overnight Mail
☐ Facsimile
☐ Email

Robert Harris
Holden, Kidwell, Hahn & Crapo
1000 Riverwalk Drive, Suite 200
Idaho Falls, Idaho 83402

☐ U.S. Mail, Postage Prepaid
☐ Hand Delivery
☐ Overnight Mail
☐ Facsimile
☒ Email rharris@holdenlegal.com


John K. Simpson