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WATER RESOURCES  
WESTERN REGION

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DEPARTMENT OF  
WATER RESOURCES

Receipt # C108838

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Attorneys for Protestant Elmore County, Board of County Commissioners

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR )  
PERMIT NO. 63-34891 )

In the name of Boise Project Board of Control )

**NOTICE OF PROTEST**

Name and address of protestant and matter being protested: The Elmore County

Board of County Commissioners ("Elmore County"), through undersigned counsel of  
record, hereby files this Notice of Protest to Application for Permit No. 63-34891 (the  
"Application"), filed by the Boise Project Board of Control (the "Applicant"), pursuant to  
Idaho Code Section 42-203A(4) and IDWR Rules of Procedure 210, 250. Elmore

County's mailing address is 150 S. 4<sup>th</sup> East, Mountain Home, Idaho 83647. The \$25 protest fee is being submitted contemporaneously with this Notice.


Protestant's representative and service: Elmore County's representatives for service in this matter shall be counsel of record identified in the heading of this Notice.

Basis of protest: Elmore County holds a permit for water appropriation within Basin 63 and wants to confirm that if granted, the Application is conditioned in a manner consistent with Idaho Code Section 42-203A(5)(a)-(f), the Department's Water Appropriation Rules, and conditions imposed on other water rights within Basin 63.


What would resolve this Protest: If conditions addressing and reflecting the above bases of protest are included in any permit, Elmore County would support action by the Director granting the permit.

DATED THIS 3rd day of June, 2020.

Varin Wardwell LLC

By:   
Dylan B. Lawrence  
Attorneys for Elmore County, Board of  
County Commissioners

Campbell Law Chtd.

By:   
Scott L. Campbell  
Attorneys for Elmore County, Board of  
County Commissioners

## CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of June, 2020, I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed to the following:

*Original:*

Idaho Department of Water Resources  
322 E. Front Street  
Boise, Idaho 83702

☐ U.S. Mail  
☐ Overnight Mail  
☒ Hand Delivery  
☐ Fax  
☐ Email

*With copies to:*

Boise Project Board of Control  
c/o Robert Carter  
2465 Overland Road  
Boise, Idaho 83705-3155

☒ U.S. Mail  
☐ Overnight Mail  
☐ Hand Delivery  
☐ Fax  
☐ Email

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Campbell Law, Chartered  
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☒ Email

  
Dylan B. Lawrence



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BOISE, IDAHO 83701  
P: 208.345.6021  
F: 1.866.717.1758  
VARINWARDWELL.COM

June 3, 2020

**VIA HAND DELIVERY**

IDWR  
322 E Front Street, Suite 648  
Boise, Idaho 83702-7371

Re: *In the Matter of Application for Permit No. 63-34891*

To Whom It May Concern:

Enclosed please a Notice of Protest being submitted on behalf of Protestant Elmore County, Board of County Commissioners for filing in the above referenced matter. Also included is check no. 2741 in the amount of \$25 for filing of the same. Please do not hesitate to contact our office if you have any questions or concerns.

Sincerely,

VARIN WARDWELL LLC

A handwritten signature in blue ink that reads "Alison Berriochoa".

Alison S. Berriochoa  
Paralegal

Enclosures

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