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WATER RESOURCES
WESTERN REGION

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Attorneys for Idaho Power Company

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

IN THE MATTER OF APPLICATION FOR
PERMIT NO. 57-12011,

NOTICE OF PROTEST

In the name of Michael B. Ihli and Linda M. Ihli

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 Permit* filed by MICHAEL B. IHLI AND LINDA M. IHLI (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 should reference conditions on the exercise of this right that it is Trustwater and subject to additional administrative review, curtailment and conditions.

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2. The proposed application is consumptive as to the Trustwater source without further technical proof provided by the Applicant.

3. Applicant identifies approximately 187 ac-ft. of evaporative loss. The proposed use is consumptive.

4. Applicant's application conflicts with the requirements of Idaho Code § 42-203A(5).

5. *See also* Idaho Power Company letter explaining its trust water interests, attached as Exhibit 1.

6. And for such other and further reasons as may be discovered or set forth at the hearing on this matter. Protestant reserves the right to amend this Protest as necessary.

DATED this 26th day of May, 2020.



Scott N. Pugrud
Attorneys for Idaho Power Company

CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of May, 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

Western Region

2735 Airport Way

Boise, ID 83705

☐ U.S. Mail, Postage Prepaid

☒ Hand Delivery

☐ Overnight Mail

☐ Facsimile

☐ Email

Michael B. Ihli and Linda M. Ihli

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☐ Hand Delivery

☐ Overnight Mail

☐ Facsimile

☐ Email



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