

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
DEC 12 2019
Department of Water Resources
Eastern 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 Transfer of Water Right No. 1-10504
2. Name of protestant Progressive Irrigation District
3. Protestant's Representative for service (If different than protestant)

4. Service mailing address 2585 N Ammon Rd Idaho Falls, Id 83401
5. Service telephone no. 208-522-3102 Email Address: pidirrigation@gmail.com
6. Basis of protest (including statement of facts and law upon which the protest is based)

No measuring devices or policing for removal of water from this natural Waterway - Along With no devices to measure Seepage or evaporation. (42-103, use of natural Waterways)

(additional pages may be attached to describe nature of the protest)

7. What would resolve your protest? It is recommended that the patrons using the natural Waterway for delivery be annexed into the Progressive Irrigation District.

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 10th day of December, 2019.

Progressive Irrigation District
Protestant

Protestant's Representative

Recpt # E045507 - 12/13/19 - \$25.00 - CM HL

Progressive Irrigation District carries water for Farmer's Friend Irrigation Company, Ltd. Transfer of the point of diversion may cause injury to Progressive Irrigation District as it may: 1) allow Farmer's Friend to transport water in Progressive Irrigation District's system without paying for a proportionate share of expenses; 2) enlarge Farmer's Friend's original water rights by not accounting for losses while water is transported in Progressive Irrigation District's system; and 3) cause injury by taking Progressive Irrigation District water to fill Farmer's Friend junior water rights. All of these factual issues should be considered by the Director of the Department of Water Resources pursuant to Idaho Code § 42-222.

Mr Holliday , Progressive Irrigation District would like to attach this page to # 6 of the "NOTICE OF PROTEST".

Thank-you,

Ann Cook
Progressive Irrigation District

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DEC 11 2019

Department of Water Resources
Eastern Region

Progressive Irrigation District

2585 N. Ammon Road

Idaho Falls, ID 83401-1949

(208) 522-3102/Fax 552-9618

Board of Directors: Lance Schuster, Murland Spaulding, and Ray Sutter

December 9, 2019

State of Idaho
Department of Water Resources
Eastern Region
900 N Skyline Dr.
Idaho Falls, ID 83402-1718

RE: Transfer of Water Right No. 1-10504

Mr. Michael Holiday,

Please be advised that the Board of Directors at Progressive Irrigation District is protesting the above mentioned water right transfer.

Thank-You,



Progressive Irrigation District