



RECEIVED
OCT 04 2019
Department of Water Resources
Eastern Region

October 1, 2019

Idaho Department of Water Resources
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

Re: Protest of 13-8042

To Whom It May Concern,

Enclosed please find the original and extra copy of a Notice of Protest filed on behalf of Cub River Irrigation Company against Application for Permit No. 13-8042. Please file the original and conform stamp and return the copy to me in the enclosed stamped and addressed return envelope. Also enclosed is a check in the amount of \$25.00 for the filing fee.

Thank you for your assistance. Should you have any questions, please give me a call.

Sincerely,

A handwritten signature in blue ink, appearing to read 'T.J. Budge', is written over the printed name. The signature is stylized with a large, looping 'J' and a horizontal line extending to the left.

T.J. BUDGE

RECEIVED

OCT 04 2019

Department of Water Resources
Eastern Region

Thomas J. Budge (ISB# 7465)
RACINE OLSON, PLLP
P.O. Box 1391; 201 E. Center St.
Pocatello, Idaho 83204
(208) 232-6101 – phone
(208) 232-6109 – fax
tj@racineolson.com

Attorneys for Cub River Irrigation Company

IDAHO DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF APPLICATION
FOR PERMIT NO. 13-8042

NOTICE OF PROTEST

In the name of Weston Creek Irrigation
Company

Cub River Irrigation Company (“Protestant”), by and through counsel, files this Notice of Protest to the above-referenced Application for Permit (“Application”) filed by Weston Creek Irrigation Company (“Applicant”) under Idaho Code § 42-203A.

The initial reasons for this protest are as follows:

1. The water use proposed by the Application will reduce the quantity of water under existing water rights.
2. The water supply is insufficient for the water use proposed by the Application.
3. The Protestant reserves the right to oppose the Application for other reasons that may be discovered or set forth at the hearing in this matter.

This protest would be resolved by confirmation from the Idaho Department of Water Resources that Weston Creek will be administered in priority with the main stem of the Bear River to ensure that water right no. 13-8042 never diverts water out of priority vis-a-vis the water rights owned by Cub River Irrigation Company.

DATED this 1st day of October, 2019.

RACINE OLSON, PLLP

By: T. J. Budge
Thomas J. Budge

Rcpt \$25.00 ID: E045369 CH

CERTIFICATE OF SERVICE

I certify that on this the 1st day of October, 2019 the foregoing document was served on the following persons in the manner indicated.

T. J. Budge
Signature of person mailing form

Idaho Department of Water Resources Eastern Regional Office 900 N. Skyline Drive, Suite A Idaho Falls, Idaho 83402	☒ U.S. Mail/Postage Prepaid ☐ Facsimile ☐ Overnight Mail ☐ Hand Delivery ☐ E-mail
Weston Creek Irrigation Company PO Box 1 Weston, Idaho 83286	☒ U.S. Mail/Postage Prepaid ☐ Facsimile ☐ Overnight Mail ☐ Hand Delivery ☐ E-mail
Greg Bingham, President Weston Creek Irrigation Company 3753 S. 3200 W. Weston, Idaho 83286 gonfarmn@gmail.com	☒ U.S. Mail/Postage Prepaid ☐ Facsimile ☐ Overnight Mail ☐ Hand Delivery ☐ E-mail