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Department of Water Resources
Eastern Region

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North Side Canal Company, and Twin Falls
Canal Company*

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MAY 20 2019

DEPT OF WATER RESOURCES
SOUTHERN REGION

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

IN THE APPLICATION FOR TRANSFER OF
WATER RIGHT NO. T83160

In the names of Jeffrey and Chana Duffin

NOTICE OF PROTEST

A&B IRRIGATION DISTRICT, AMERICAN FALLS RESERVOIR DISTRICT #2,
BURLEY IRRIGATION DISTRICT, MILNER IRRIGATION DISTRICT, MINIDOKA
IRRIGATION DISTRICT, NORTH SIDE CANAL COMPANY and TWIN FALLS CANAL
COMPANY (the "Coalition" or "Protestants"), by and through their attorneys of record, file this
Notice of Protest to the approval of the above-numbered *Application for Transfer of Water Rights*
filed by JEFFREY and CHANA DUFFIN (the "Applicant").

The initial bases for protest are as follows:

1. It appears the groundwater right subject to this transfer was originally developed as a supplemental groundwater right for use in association with shares of the Aberdeen Springfield Canal Company ("ASCC"). Through this transfer, the Applicant will use ASCC water on the current property and the groundwater on separate property – resulting in an expansion of water use.

NOTICE OF PROTEST (T83160)

Receipt
#5037330

2. The Application has failed to demonstrate that the transfer will not injure existing water rights and has failed to provide any proposed mitigation to offset impacts resulting from the transfer.

3. The Applicant has failed to show that the Application meets the criteria required by Idaho Code § 42-222.

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

DATED this 20th day of May, 2019.

FLETCHER LAW OFFICE

 for

W. Kent Fletcher

*Attorneys for American Falls Reservoir
District #2 & Minidoka Irrigation District*

BARKER ROSHOLT & SIMPSON LLP

_____
John K. Simpson
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*Attorneys for A&B Irrigation District, Burley
Irrigation District, Milner Irrigation District,
North Side Canal Company, and Twin Falls
Canal Company*

CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of May, 2019, I served a copy of the foregoing

NOTICE OF PROTEST, by hand-delivery to the following:

Idaho Department of Water Resources
Southern Region
650 Addison Ave W, Ste 500
Twin Falls, Idaho 83301-5858

And by Email to:

Robert L. Harris
Holden Kidwell
P.O. Box 50130
Idaho Falls, Idaho 83405
rharris@holdenlegal.com

Attorneys for Applicant



Travis L. Thompson

FOR OFFICE USE ONLY:

Fees paid: \$50.00 Date: 5/20/2019
Receipt No.: S037330 By: 

Idaho Department of Water Resources Receipt

Receipt ID: S037330

Payment Amount	\$50.00	Date Received	5/20/2019	Region	SOUTHERN
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Payment Type	Check	Check Number	1588
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Payer BARKER ROSHOLT & SIMPSON LLP

Comments NOTICE OF PROTEST FILED ON BEHALF OF A&B IRR. DIST., AMERICAN FALLS RES. DIST. #2, BURLEY IRR. DIST., MILNER IRR. DIST., MINIDOKA IRR. DIST., NORTH SIDE CANAL CO & TWIN FALLS CANAL CO AGAINST APP. FOR TRANSFER 83160 (DUFFIN)

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$50.00	PROTESTS	64103	0229	21		1155



Signature Line (Department Representative)