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SEP 21 2018
WATER RESOURCES
WESTERN REGION

*Attorneys for Protestant
Middleton Irrigation Association, Inc.*

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

IN THE MATTER OF APPLICATION FOR
PERMIT NO. 63-34586 IN THE NAME
OF DRK LLC

NOTICE OF PROTEST

COMES NOW, Middleton Irrigation Association, Inc. ("Protestant"), by and through its attorneys of record Sawtooth Law Offices, PLLC, hereby files this Notice of Protest to Application for Permit No. 63-34586 ("Application"), filed in the name of DRK LLC.

The bases for the Protest are:

1. The Application will cause injury to existing water rights, specifically those of the Protestants.
2. The Application is contrary to, or may conflict with Idaho Code Section 42-203A(5), subsections (a) through (g).
3. The Application is not compliant with Idaho law, including but not limited to, Idaho Code Section 67-6537.
4. For such other and further reasons as may be set forth at the hearing on this matter.

RELIEF REQUESTED

The Protestants respectfully request that for the above listed reasons, proposed Application for Permit No. 63-34586 be denied in all respects. In the alternative, the Protestants

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Received by ATC

respectfully request that any approval of Application for Permit No. 63-34586 be conditioned upon complete protection of the Protestants' existing water rights.

DATED this 21 day of September, 2018.

SAWTOOTH LAW OFFICES, PLLC

By 
S. Bryce Farris
Attorneys for Middleton Irrigation Association, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21 day of September, 2018, I caused a true and correct copy of the foregoing **NOTICE OF PROTEST** to be served by the method indicated below, and addressed to the following:

DRK, LLC
Attn: Alan Mills
Box 206
Middleton, ID 83644
T (208) 941-8498

(X) U.S. Mail, Postage Prepaid
() Hand Delivered
() Overnight Mail
() Facsimile
() Email


S. Bryce Farris