

RECEIVED

AUG 06 2018

DEPT OF WATER RESOURCES
SOUTHERN REGION

John K. Simpson, ISB #4242
Travis L. Thompson, ISB #6168
Jonas. A. Reagan, ISB #10566
BARKER ROSHOLT & SIMPSON LLP
163 Second Avenue West
P.O. Box 63
Twin Falls, Idaho 83303
Telephone: (208) 733-0700
Facsimile: (208) 735-2444

W. Kent Fletcher, ISB #2248
FLETCHER LAW OFFICE
P.O. Box 248
Burley, Idaho 83318
Telephone: (208) 678-3250
Facsimile: (208) 878-2548

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

*Attorneys for A&B Irrigation District, Burley
Irrigation District, Milner Irrigation District,
North Side Canal Company, and Twin Falls
Canal Company*

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

IN THE MATTER OF APPLICATION)
FOR TRANSFER NO. T82496)
(in the name of Idaho Water)
Company, LLC))
)
)
_____)

NOTICE OF JOINT PROTEST

A&B IRRIGATION DISTRICT, BURLEY IRRIGATION DISTRICT, MILNER
IRRIGATION DISTRICT, NORTH SIDE CANAL COMPANY, TWIN FALLS CANAL
COMPANY, AMERICAN FALLS RESERVOIR DISTRICT #2, AND MINIDOKA
IRRIGATION DISTRICT (hereinafter "Protestants"), by and through their attorneys of record,
BARKER ROSHOLT & SIMPSON LLP, and FLETCHER LAW OFFICE, hereby file this
Notice of Joint Protest to the approval of the above-numbered application for transfer filed by
the IDAHO WATER COMPANY, LLC ("Applicant"). The initial bases for the protests are as
follows:

1. The Applicant has failed to address potential enlargement issues if the water right proposed for transfer has been forfeit;
2. The Applicant has failed to address mitigation concerns to the ESPA if the transfer is approved, given the unique location of the water right's present place of use compared to the proposed place of use;
3. The Applicant has failed to explain existing uses of water and the effect of the transfer on existing water rights;
4. The application violates the criteria of I.C. § 42-222(1); and
5. For such other and further reasons as may be discovered or set forth at the hearing on this matter.

DATED this 6th day of August, 2018.

FLETCHER LAW OFFICE



W. Kent Fletcher

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

BARKER ROSHOLT & SIMPSON LLP



John K. Simpson
Travis L. Thompson
Jonas A. Reagan

*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 6th day of August, 2018, I served a true and correct 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, ID 83301-5858

And by United States Mail to:

Idaho Water Company, LLC
1135 Valley Rd. South
Eden, ID 83325

Jason C. Helms, P.E.
6755 Albert Ln.
Idaho Falls, ID 83401


Jonas A. Reagan

FOR OFFICE USE ONLY:

Fees paid: \$50.00 Date: 8/6/2018
Receipt No.: S036896 By: 