

ORIGINAL

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Attorney for Idaho Power Company

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JUL 26 2018

DEPT OF WATER RESOURCES
SOUTHERN REGION

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JUL 23 2018

DEPARTMENT OF
WATER RESOURCES

Receipt # 2105409

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

IN THE MATTER OF APPLICATION FOR
PERMIT NO. 37-23113

In the name of United States of America
USDA Forest Service

NOTICE OF PROTEST

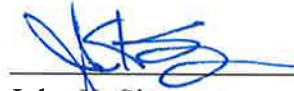
IDAHO POWER COMPANY (the "Protestant"), by and through its attorneys of record, files this *Notice of Protest* to the approval of the above-numbered *Application for Permit* filed by UNITED STATES OF AMERICA USDA FOREST SERVICE (the "Applicant").

The initial bases for the protest are as follows:

1. The source of water has been recognized as Trustwater by the State of Idaho as defined in IDAPA 37.03.08.031(a) and should reference conditions on the exercise of this right that it is Trustwater and subject to additional administrative review and conditions.
2. The Applicant has failed to demonstrate that the unappropriated water supply is sufficient for the diversion of water under this application.
3. Applicant's application conflicts with the requirements of Idaho Code § 42-203A(5).
4. For such other and further reasons as may be discovered or set forth at the hearing on this matter.

DATED this 23rd of July, 2018.

BARKER ROSHOLT & SIMPSON LLP



John K. Simpson
Attorneys for Idaho Power Company

CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of July, 2018, I served the original of the foregoing **NOTICE OF PROTEST**, by hand-delivering or depositing same in the U.S. Mail, postage prepaid, as indicated, addressed to the following:

Idaho Department of Water Resources
Idaho Water Center
322 East Front Street
Boise, Idaho 83702-7374

____ U.S. Mail, Postage Prepaid
☒ Hand Delivery
____ Overnight Mail
____ Facsimile
____ Email

United States of America
USDA Forest Service
370 American Avenue
Jerome, Idaho 83338

☒ U.S. Mail, Postage Prepaid
____ Hand Delivery
____ Overnight Mail
____ Facsimile
____ Email

Steve Spencer
1805 Hwy 16 Rm 5
Emmett, Idaho 83617

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____ Facsimile
____ Email



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