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Thomas J. Budge (ISB# 7465)
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Attorneys for Idaho Ground Water Appropriators, Inc.

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NOV 13 2017

Department of Water Resources
Eastern Region

IDAHO DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF APPLICATION
FOR TRANSFER NO. 81992

NOTICE OF PROTEST

In the name of JEFF AND CHANNA
DUFFIN.

Idaho Ground Water Appropriators, Inc. (IGWA), by and through counsel, files this Notice of Protest to the above-referenced Application for Transfer under Idaho Code section 42-222.

The initial reason for this protest is that the water right being transferred (35-12912) shares the same point of diversion and place of use as water right 35-7853B. These two water rights represent a single beneficial use of water and must be transferred together. Allowing 35-12912 to be transferred independent of 35-7853B will injure existing water rights, constitute an enlargement in use, is inconsistent with the local public interest, and will adversely affect the local economy of the area within which the source of water originates.

IGWA reserves the right to oppose the Application for other reasons that may subsequently be discovered.

This protest may be resolved by requiring 35-12912 and 35-7853B to be transferred together or by forfeiting one or the other of these water rights.

DATED this 8th day of November, 2017.

RACINE OLSON NYE BUDGE
& BAILEY, CHARTERED

By: Thomas J. Budge
Thomas J. Budge

Receipt
#2043552

CERTIFICATE OF SERVICE

I certify that on this the 8th day of November, 2017, the foregoing document was served on the following persons in the manner indicated.


Signature of person mailing form

Idaho Department of Water Resources 900 North Skyline Drive, Suite A Idaho Falls, ID 83402-1718	☒ U.S. Mail/Postage Prepaid ☐ Facsimile ☐ Overnight Mail ☐ Hand Delivery ☐ E-mail
Jeff and Chana Duffin P.O. Box 525 Aberdeen, Idaho 83210	☒ U.S. Mail/Postage Prepaid ☐ Facsimile ☐ Overnight Mail ☐ Hand Delivery ☐ E-mail
Greg Sullivan 2016 N. Washington St, Ste 4 Twin Falls, Idaho 83301 greg.sullivan@brockwayeng.com	☒ U.S. Mail/Postage Prepaid ☐ Facsimile ☐ Overnight Mail ☐ Hand Delivery ☒ E-mail
Robert L. Harris HOLDEN KIDWELL PO Box 50130 Idaho Falls, Idaho 83405-0130 rharris@holdenlegal.com	☒ U.S. Mail/Postage Prepaid ☐ Facsimile ☐ Overnight Mail ☐ Hand Delivery ☒ E-mail



November 8, 2017

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

RECEIVED
NOV 13 2017
Department of Water Resources
Eastern Region

Re: Transfer Nos. 81992

Dear Sharla,

Enclosed please find the original and one copy of a Notice of Protest against Transfer Application Nos. 81992 in the name of Jeff and Chana Duffin, together with a check in the amount of \$25.00 for the filing fee. Please file the original and conform stamp the extra copy and return it to me in the enclosed stamped and addressed return envelope.

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

Sincerely,



T. J. BUDGE