

ORIGINAL

John K. Simpson, ISB #4242
BARKER ROSHOLT & SIMPSON LLP
1010 Jefferson St., Ste. 102
P.O. Box 2139
Boise, Idaho 83701-2139
Telephone: (208) 336-0700
Facsimile: (208) 344-6034
jks@idahowaters.com
Attorney for Idaho Power Company

RECEIVED
SEP 11 2017
DEPARTMENT OF
WATER RESOURCES
Receipt # C 104111

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

IN THE MATTER OF APPLICATION FOR
TRANSFER NO. 81560

NOTICE OF PROTEST

In the name of Frank Tiegs LLC

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 Transfer* filed by FRANK TIEGS, LLC (the "Applicant").

The initial bases for the protest are as follows:

1. The Applicant failed to demonstrate that the proposed Transfer will not injure existing water rights, including but not limited to the Protestant's water rights.
2. The source of water is located within Water District 61 and 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 Transfer and demonstrate that Trustwater is available.
3. For such other and further reasons as may be discovered or set forth at the hearing on this matter.

//

//

DATED this 11th day of September, 2017.

BARKER ROSHOLT & SIMPSON LLP



John K. Simpson
Attorneys for Idaho Power Company

CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of September, 2017, 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

Frank Tiegs LLC
P.O. Box 3350
Pasco, WA 99302

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

Brockway Engineering
c/o Greg Sullivan
2016 North Washington Street, Ste. 4
Twin Falls, ID 83301

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



John K. Simpson