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JAN 27 2017

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DEPARTMENT OF
WATER RESOURCES

NOTICE OF PROTEST

This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, and 42-222, Idaho Code. The department will also accept a timely protest not completed on this form if it contains the same information.

1. Matter being protested Application to Transfer No. 81370
2. Name of protestant Wells Fargo Bank, lienholder on land and appurtenant water rights
3. Protestant's Representative for service (If different than protestant)
Linda B. Jones, Holland & Hart LLP
Holland & Hart - 800 W. Main St., Suite 1750, Boise, Idaho 83702
4. Service mailing address Wells Fargo Bank - 299 S. Main Street, 6th Floor, Salt Lake City, Utah 84111
208-342-5000 Holland & Hart
5. Service telephone no. 385-415-8221 Wells Fargo Email Address: ljones@hollandhart.com
6. Basis of protest (including statement of facts and law upon which the protest is based)

See attached protest statement

(additional pages may be attached to describe nature of the protest)

7. What would resolve your protest? Applicant must provide Protestant with an appraisal to quantify the change in value of the Protestant's collateral if the Transfer is approved and is implemented. With an appraisal, Protestant can evaluate whether it will consent to the proposed change and consent to release the water right from the mortgage lien.

I hereby, acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 27 day of JANUARY, 20 17.

[Signature]
Protestant

[Signature]
Protestant's Representative

Receipt #
C102954

State of Idaho Department of Water Resources
Notice of Protest
Application to Transfer No. 81370
Basis of Protest Statement

Protestant holds liens on the water rights that are subject of the Transfer, and the land to which the water rights are appurtenant, both the land proposed to be sold to NKC Great Plains, LLC ("NKC") and the land being retained by Walker Land & Cattle, LLC ("Walker"). The result of this Transfer is to relocate water available for irrigating the land being retained by Walker, in favor of the land to be sold to NKC, resulting in the need to dry up acreage being retained. Protestant needs to understand the impact on the value of the retained collateral after this Transfer is implemented. Protestant must release the lands to be sold, and appurtenant water right, from the existing mortgage. Protestant must consent to the Transfer in order to accomplish the proposed change and lien release.



January 27, 2017

VIA HAND DELIVERY

Idaho Department of Water Resources
322 E. Front Street
Boise, ID 83702

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**DEPARTMENT OF
WATER RESOURCES**

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FEB 03 2017

**Department of Water Resources
Eastern Region**

Re: Protest of Applications to Transfer Nos. 81368, 81369 and 81370

Dear Sir or Madam:

Enclosed for filing on behalf of our client, Wells Fargo Bank, National Association ("Wells Fargo"), are three protest forms covering Applications to Transfer Nos. 81368, 81369 and 81370. We also enclose a check in the amount of \$75.00 to cover the filing fees.

Wells Fargo holds liens on the subject water rights and lands to which they are appurtenant. The proposed transfers were filed in connection with a proposed sale of a portion of the land. Wells Fargo was aware of the pending sale, but learned of the protested transfers upon receipt of the notice of publication. Wells Fargo's initial consent to the sale was based on a certain appraisal and stated purchase price. Wells Fargo protests the transfers and seeks confirmation that the transfers will not adversely impact the value of its collateral.

These Transfers are being processed by Blake Jordan in the Eastern Regional Office in Idaho Falls. We have sent electronic copies of the protests to the Eastern Regional Office.

We also sent today, electronically and by U.S. mail, copies of the protests to Robert J. Maynes, counsel to Walker Land & Cattle, LLC, and to Thomas J. Budge, counsel to NKC Great Plains, LLC.

Please contact the undersigned if you have questions about the protests or if you require anything else from the Protestant at this time.

Very truly yours,


Linda B. Jones, Esq.
of Holland & Hart, LLP

LBJ/tan

Enclosures

cc: Sharla Cox/DWR Eastern Regional Office (via email)
Blake Jordan/DWR Eastern Regional Office (via email)
Gregory Mondon (Wells Fargo Bank)

Holland & Hart LLP Attorneys at Law

Phone (208) 342-5000 Fax (208) 343-8869 www.hollandhart.com

800 W. Main Street Suite 1750 Boise, ID 83702-5974 Mailing Address P.O. Box 2527 Boise, ID 83701-2527

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