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DEPT OF WATER RESOURCES
SOUTHERN REGION

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District #2 and Minidoka Irrigation District*

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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 APPLICATION FOR TRANSFER
OF WATER RIGHT NO. T81293

NOTICE OF PROTEST

In the names of Kip Hunter and Brandi Hunter

A&B IRRIGATION DISTRICT, AMERICAN FALLS RESERVOIR DISTRICT #2,
BURLEY IRRIGATION DISTRICT, MILNER IRRIGATION DISTRICT, MINIDOKA
IRRIGATION DISTRICT, NORTH SIDE CANAL COMPANY and TWIN FALLS CANAL
COMPANY (the "Coalition" or "Protestants"), by and through their attorneys of record, file this
Notice of Protest to the approval of the above-numbered *Application for Transfer of Water Rights*
filed by KIP HUNTER and BRANDI HUNTER (the "Applicant").

The Applicant previously attempted to transfer ground water right 35-8424 in 2013. The
Coalition protested that transfer as an attempt to expand the water use. The historical record for
water right 35-8424 demonstrates that the right was developed as supplemental to surface water
from the Aberdeen Springfield Canal Company. That transfer was withdrawn by the Applicant.

As to the present application, the initial bases for protest are as follows:

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1. The groundwater right subject to this transfer was originally developed as a supplemental groundwater right for use in association with shares of the Aberdeen Springfield Canal Company ("ASCC"). Through this transfer, the applicant will use ASCC water on the current property and the groundwater on separate property – resulting in an expansion of water use.

2. The Application has failed to demonstrate that the transfer will not injure existing water rights and has failed to provide any proposed mitigation to offset impacts resulting from the transfer.

3. The Applicant has failed to show that the Application meets the criteria required by Idaho Code §§ 42-222.

4. For such other and further reasons as may be discovered or set forth at the hearing on this matter.

DATED this 12th day of December, 2016.

FLETCHER LAW OFFICE


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North Side Canal Company, and Twin Falls
Canal Company*

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of December, 2016, I served a 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 U.S. Mail to:

Kip & Brandi Hunter
467 S. 1600 W.
Pingree, ID 83262



Paul L. Arrington

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Fee: \$175.00

Receipt No.: S035845

Date Received: 12/12/2016 **By:** TF

NOTICE OF PROTEST