

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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SEP 26 2016

Department of Water Resources
Eastern Region

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 TRANSFER APPLICATION # 81155 BY THE
CITY OF
POCATELLO
2. Name of protestant SPARTAN PORTNEUF LLC.
3. Protestant's Representative for service (If different than protestant)
THOMAS J. KATSILOMETES PLLC.
4. Service mailing address P.O. BOX 777, BOISE, ID 83701
5. Service telephone no. (208) 529-9377 Email Address: TJK@2082LAWYERS.COM
6. Basis of protest (including statement of facts and law upon which the protest is based)

CONTEMPLATED TRANSFER TO OTHER WELL SPECIFICALLY
CITY WELL #44 LOCATED AT SW 1/4 SW 1/4 SEC 16, TWP 7S.
R3SE. WELL EXACERBATE EXISTING PROBLEM OF CITY'S
OPERATION OF WELL #44 HAS BEEN AND CONTINUES TO BE
INJURIOUS TO WELL OPERATED BY (additional pages may be attached to describe nature of the protest)
SPARTAN PORTNEUF LLC UNDER IT'S SENIOR RIGHT & LICENCE.

7. What would resolve your protest? CURTAILMENT, REDUCTION IN VOLUME
PUMPED BY CITY AT WELL #44, OR CALL. SHOULD CONDUCT
FLOW MEASUREMENT STUDY FOR ONE YEAR PRIOR TO
ACTION BY THE DEPARTMENT.

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 23RD day of SEPTEMBER, 20 16.

Marcia Kabilomg, MANAGER-SPARTAN PORTNEUF LLC.
Protestant

Thomas J. Katsilometes, Esq.
Protestant's Representative

Receipt
#2042474