

07/2008

STATE OF IDAHO DEPARTMENT OF
WATER RESOURCES

NOTICE OF PROTEST

RECEIVED

DEC 18 2015

WATER RESOURCES
WESTERN REGION

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 for Water Right 63-34147

Black Canyon Irrigation District (BCID)

2. Name of protestant _____

3. Protestant's Representative for service (If different than protestant)

Chas F. McDevitt

4. Service mailing address P.O. Box 2564, Boise, Idaho 83702 1

5. Service telephone no. 208-343-7500 Email Address: heather@mcdevitt-miller.com

6. Basis of protest (including statement of facts and law upon which the protest is based)

Applicant should be limited only to pre-irrigation season, post
irrigation season and supplemental use. Flow meter must be installed
to verify usage.

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

7. What would resolve your protest? Above limitations being contained in Water Right.

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 16th day of December, 20 15.

Black Canyon Irrigation District

Protestant



Protestant's Representative Chas F. McDevitt

NOTE:

A protestant is required to timely file a protest with the department together with a \$25.00 protest fee for each application being protested in order for the protestant to be considered a full party by the department. In addition, the department's Rule of Procedure, IDAPA 37.01.01203, requires a protestant to send a copy of a protest to the applicant.

INSTRUCTIONS

1. The matter being protested must be clearly identified. A typical matter is identified by the application number such as "Application for Permit No. _____ in the name of _____" or "Application for Transfer No. _____ in the name of _____."
 2. Show the name of the protestant. Only one (1) protestant may be shown per protest form. If this protest form is signed by more than one person, the hearing officer will consider the first signer as the official protestant and the representative for service of documents.
 3. If the protestant is represented by an attorney or other authorized representative, show the representative's name. The department then will serve documents on the representative and upon the protestant if specifically requested.
 4. Show the address where the department is to serve the documents. This should be the address of the authorized representative unless the protestant does not designate a representative.
 5. Show the telephone number of the authorized representative unless the protestant does not designate a service representative.
 6. Specifically describe the nature of the protest.
 7. Describe the relief being sought by the protestant.
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FOR DEPARTMENT USE ONLY

Received by  Date 12/18/15 Time 1:15
\$25.00 fee Receipted by  # W043754 Date 12/18/15

McDevitt & Miller LLP

Lawyers

(208) 343-7500
(208) 336-6912 (Fax)

420 West Bannock Street
P.O. Box 2564-83701
Boise, Idaho 83702

Chas. F. McDevitt
Dean J. (Joe) Miller

December 16, 2015

Via U.S. Mail

IDWR Western Region
2735 Airport Way
Boise, Idaho 83705-5082

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WATER RESOURCES
WESTERN REGION

RE: Notice of Protest-Water Right 63-34147

Dear Clerk:

Enclosed for filing please find an original and one (1) copy of a Notice of Protest for Water Right Application 63-34147, together with a check in the amount of \$25.00.

Please return a file stamped copy in the self-addressed envelope enclosed.

Very truly yours,

McDEVITT & MILLER LLP



Chas F. McDevitt

CFM/hh
Encl.