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DEPT OF WATER RESOURCES
SOUTHERN REGION

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Attorneys for Robert & Susan Gisler

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

IN THE MATTER OF APPLICATION)
FOR TRANSFER NO. 79498)
(in the name of IGWA))
)

)

NOTICE OF PROTEST

ROBERT & SUSAN GISLER (hereinafter "Protestant"), by and through its attorneys of record, hereby file this *Notice of Protest* to the approval of the above-numbered application for transfer filed by the Idaho Ground Water Appropriators, Inc. ("Applicant"). The initial bases for the protests are as follows:

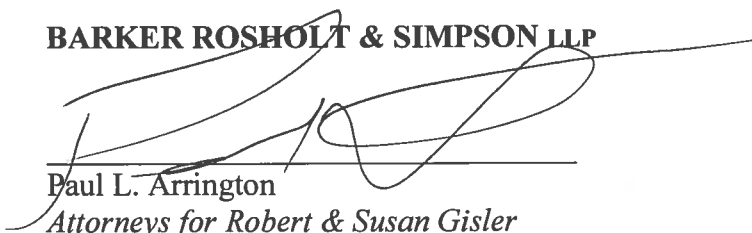
1. The Applicant has failed to provide sufficient evidence regarding the effects of the proposed transfer and whether or not it will result in an enlargement of the water rights.
2. The Applicant has failed to provide sufficient evidence regarding the effects of the proposed transfer and whether or not it will result in injury to other water rights.
3. The application fails to set forth sufficient information regarding the permissions or legal right to move water to the proposed place of use.
4. The application fails to set forth sufficient information and analyses required

under IDWR's *Transfer Processing Memo. No. 24* (dated December 21, 2009).

5. The application violates the criteria of I.C. § 42-222(1).
6. For such other and further reasons as may be discovered or set forth at the hearing on this matter.

DATED this 8th day of September, 2014.

BARKER ROSHOLT & SIMPSON LLP


Paul L. Arrington

Attorneys for Robert & Susan Gisler

CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of September, 2014, I served a true and correct copy of the foregoing *Notice of Joint Protest*, by depositing same in the United States mail, postage prepaid, addressed to the following:

Randy Budge
T.J. Budge
RACINE OLSON
P.O. Box 1391
Pocatello, Idaho 83204


Paul L. Arrington

FOR OFFICE USE ONLY

Fee: \$25.00

Receipt No. S034286

Receipt by: dm

Date Received: 9-8-2014