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JUN 20 2014

DEPT. OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
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 for Transfer No. 79330 (Water Right No. 36-2055) in the name of North Snake GWD, Magic Valley GWD and Southwest Irrigation Dist.
2. Name of protestant Salmon Falls Land & Livestock Co.
3. Protestant's Representative for service (If different than protestant)
Michael J. Henslee, Vice President
4. Service mailing address 95-A Bell Rapids Rd. Hagerman ID 83332 and to: Timothy J. Stover Worst, Fitzgerald & Stover, PLLC, P.O. Box 1428, Twin Falls, ID 83303
5. Service telephone no. 208-837-6053 Email Address: mjhenslee@gmail.com
208-539-7252 (cell)
6. Basis of protest (including statement of facts and law upon which the protest is based)

See Attached

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

7. What would resolve your protest? See Attached

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 19th day of June, 2014
Salmon Falls Land & Livestock Co.
by Michael J. Henslee V.P.
Protestant

Protestant's Representative

Paragraph 6:

As an agricultural land owner, Salmon Falls Land & Livestock Co. is an appropriator of Upper Tucker Springs water and Riley Creek water, which is a tributary of Upper Tucker Springs. Salmon Falls Land & Livestock Co. would be greatly affected by the proposed change to the place of use for Water Right No. 36-2005.

Additionally, the up to 10 CFS the Second Mitigation Plan proposed to move is currently non-consumptive resulting in it benefiting downstream consumptive users such as Salmon Falls Land & Livestock Co. If the water is moved, Salmon Falls Land & Livestock may lose having the benefit of the water.

Paragraph 7:

We, Salmon Falls Land & Livestock Co., would request an opportunity to be heard at all future dealings, discussions, and decisions being made that are in response to this Transfer No. 79330 or any other mitigation involving the Second Mitigation Plan pending in Case No. CM-MP-2014-001.

FOR OFFICE USE ONLY

Fee: \$25.00

Receipt No. 5034088

Receipt by: DM

Date Received: 6-20-2014

CERTIFICATE OF MAILING

I certify that on this 20th day of June, 2014, the foregoing **NOTICE OF PROTEST** was served on the following persons in the manner indicated.

Director, Gary Spackman
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098
Deborah.Gibson@idwr.idaho.gov

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile
☒ E-mail

Randall C. Budge
Thomas J. Budge
RACINE OLSON NYE BUDGE
& BAILEY, CHARTERED
P.O. Box 1391
Pocatello, ID 83204
rcb@racinelaw.net
tjb@racinelaw.net

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☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile
☐ E-mail

North Snake Ground Water District
Lyn Carlquist, Chairman
c/o Joyce Moreno, Secretary
152 E. Main St.
Jerome, ID 83338
nsgwd@safelink.net
carlquil@yahoo.com

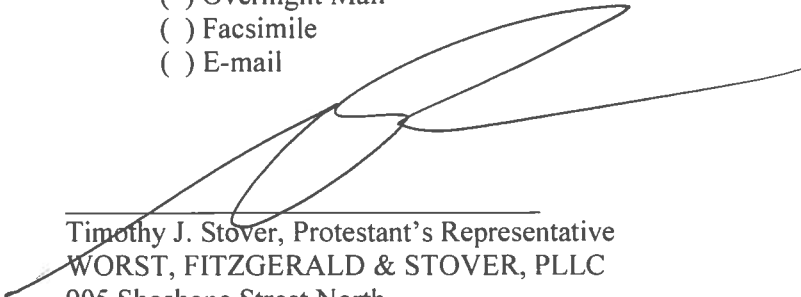
☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile
☐ E-mail

Magic Valley Ground Water District
Dean Stevenson, Chairman
c/o Emily Haynes, Secretary
P.O. Box 430
Paul, ID 83347
desteve@pmt.org
mvgwd@hotmail.com

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Southwest Irrigation District
c/o William Parsons, Attorney
137 W 13th St.
Burley, ID 83318
wparsons@pmt.org
csearle@pmt.org

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Timothy J. Stover, Protestant's Representative
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P.O. Box 1428
Twin Falls, ID 83303-1428