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MAY 30 2014

DEPT. OF WATER RESOURCES
SOUTHERN REGION

07/2008

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 Transfer No. 79293
2. Name of protestant Southwest Irrigation District
3. Protestant's Representative for service (If different than protestant)
William A. Parsons
4. Service mailing address Box 910, Burley, ID 83318
5. Service telephone no. 208-878-8382 Email Address: wparsons@pmt.org
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? That the Transfer not be approved.

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 28th day of May, 2014.

Southwest Irrigation District

Protestant

William A. Parsons
Protestant's Representative William A. Parsons

FOR OFFICE USE ONLY

Fee: \$25.00

Receipt No. S034049Receipt by: DMDate Received: 5-30-2014

Basis of Protest per paragraph 6.

The basis of the protest is pursuant to Idaho Code 42-203A

1-That it will reduce the quantity on existing water rights in the vicinity of the proposed transfer. Existing water right of landowners in Southwest Irrigation District largely surround the place of intended use if transfer is approved.

2-That it will adversely impact the recharge program of the Protestant. Recharge is in the Searle well and Rick Wrigley well in the vicinity and is conducted by the Protestant under approval of the Idaho Department of Water Resources

3-That it will affect observation wells of the Protestant as to an agreement with the Surface Water Coalition and will have an adverse affect on that contract.

4-That it will conflict with the local public interest as defined by Idaho Code 42-202B(3).

5- That it may affect rights of Magic Valley Ground Water District land owners.

6-The transfer may be in violation of Water Bank rules as relates to other water rights that may be affected.

ATTACHMENT TO

Notice of Protest
Transfer No. 79293

PARSONS, SMITH, STONE, LOVELAND & SHIRLEY, LLP

WILLIAM A. PARSONS
RICHARD K. SMITH
RANDOLPH C. STONE
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137 WEST 13TH STREET
P.O. Box 910
BURLEY, IDAHO 83318

TELEPHONE
(208) 878-8382
FAX NO.
(208) 878-0146

May 28, 2014

RECEIVED

MAY 30 2014

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Department of Water Resources
Southern Region
650 Addison Avenue W., Ste 500
Twin Falls, ID 83301

**RE: Notice of Protest – Transfer No. 79293
Our File No. 19198.140010**

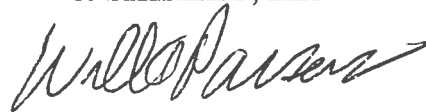
Gentlemen:

Enclosed, for your information, is a Notice of Protest from Southwest Irrigation District in regards to Transfer No. 79293, along with a check in the sum of \$25.00 for the protest fee.

Thank you for your courtesies. Should you have any questions, please contact me.

Very truly yours,

**PARSONS, SMITH, STONE, LOVELAND
& SHIRLEY, LLP**



William A. Parsons

WAP/sw

Enc.

cc: Wickel Land Company, LLP – 1084 E. 300 N., Declo ID 83323