

07/2008

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF PROTEST

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MAR 21 2014
WATER RESOURCES
WESTERN REGION
RECEIVED
MAR 19 2014
DEPARTMENT OF
WATER RESOURCES

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 T78512 in the name of Sunridge Dairy, LLC**
2. Name of protestant: **Boise Project Board of Control**
3. Protestant's Representative for service (if different than protestant)

Albert P. Barker
Barker Rosholt & Simpson LLP

4. Service mailing address: **1010 W. Jefferson St., Ste. 102, P.O. Box 2139, Boise, ID 83701-2139**
5. Service telephone no. **208-336-0700** Email address: **apb@idahowaters.com**
6. Basis of protest (including statement of facts and law upon which the protest is based).
The transfer applicant has pending new water right applications 63-33644, 63-33713 and 63-33756 seeking the appropriation of 9.88 cfs of new groundwater diversions. The points of diversion for the applied for new water rights are in the same vicinity as the points of diversion for water rights 63-2825, 63-2949, 63-3135, 63-3260, 63-3331. 63-31477, and 63-32843, which are the subject of the transfer application. The proposed transfer is intended to result "in an increased per-acre diversion rate." Protestant is concerned about the cumulative effects of groundwater withdrawals in the Lake Lowell vicinity which may adversely impact its senior water rights in Lake Lowell, resulting in the submission of this Protest.

7. What would resolve your protest?
Assurances by the Applicant and IDWR that levels of Lake Lowell will not be adversely affected by the diversion proposed by Transfer Applications T78512, T78515, T78514, either individually, or cumulatively with water right claim nos. 63-33894, 63-33810, 63-33901, 63-33900, 63-33811, 63-33814, 63-33644, 63-33625, 63-33629, 63-33713, 63-33763, 63-33777, 63-33756, 63-33132, 63-33131, 63-33133, 63-33134, 63-33135 and 63-33639.

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 March, 2014.

BOISE PROJECT BOARD OF CONTROL

Protestant

By: [Signature]
Protestant's Representative

FOR DEPARTMENT USE ONLY

Received by CS Date 3/19/14 Time 4:25 PM
\$25.00 fee Received by CS # C098514 Date 3/19/14