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MAR 12 2014

DEPT. OF WATER RESOURCES  
SOUTHERN REGION

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MAR 07 2014

DEPARTMENT OF  
WATER RESOURCES

**NOTICE OF PROTEST**

1. **Matter being protested:** Application for Permit No. 36-17002 in the name of Rangem, Inc.
2. **Name of protestants:** Aberdeen American Falls Ground Water District, Bingham Ground Water District, Bonneville-Jefferson Ground Water District, Madison Ground Water District, Magic Valley Ground Water District, North Snake Ground Water District, Clark Jefferson Ground Water District, and Southwest Irrigation District (collectively the "Districts").
3. **Protestants' Representative for service (If different than protestant):** Randall C. Budge, Thomas J. Budge, Racine Olson Nye, Budge & Bailey, Chtd.,
4. **Mailing address:** PO Box 1391, Pocatello, ID 83204-1391.
5. **Telephone No.:** 208-232-6101, [rcb@racinelaw.net](mailto:rcb@racinelaw.net), [tjb@racinelaw.net](mailto:tjb@racinelaw.net).
6. **Basis of protest (including statement of facts and law upon which the protest is based):** This protest is based on all of the criteria listed in I.C. § 42-203A, including but not limited to (a) injury to the Districts' water right no. 36-16976, (b) injury to other water rights, (c) insufficient water supply, (d) conflict with the local public interest, and (e) adverse impact to the local economy. The Districts reserve the right to amend this protest or raise other issues before or during the hearing in this matter based upon additional information and/or evidence as it is made available or becomes known to Districts.
7. **What would resolve your protest?** A condition subordinating water right no. 36-16976 to all junior-priority uses of groundwater from the Eastern Snake Plain Aquifer.

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.

Protestants: Ground Water Districts and Southwest Irrigation District

Signed this 7<sup>th</sup> day of March, 2014.

Protestant's Representatives



Randall C. Budge

Thomas J. Budge

## CERTIFICATE OF SERVICE

I certify that on this 7<sup>th</sup> day of March, 2014, the foregoing document was served on the following persons in the manner indicated.



\_\_\_\_\_  
Signature of person mailing form

|                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                        |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Idaho Department of Water Resources<br>PO Box 83720<br>Boise, ID 83720-0098                                                                                                                                                                                   | <input type="checkbox"/> U.S. Mail/Postage Prepaid<br><input type="checkbox"/> Facsimile<br><input type="checkbox"/> Overnight Mail<br><input checked="" type="checkbox"/> Hand Delivery<br><input checked="" type="checkbox"/> E-mail |
| Idaho Department of Water Resources<br>650 Addison Ave W, Ste 500<br>Twin Falls, ID 83301<br><a href="mailto:Allen.merritt@idwr.idaho.gov">Allen.merritt@idwr.idaho.gov</a><br><a href="mailto:Denise.meline@idwr.idaho.gov">Denise.meline@idwr.idaho.gov</a> | <input type="checkbox"/> U.S. Mail/Postage Prepaid<br><input type="checkbox"/> Facsimile<br><input type="checkbox"/> Overnight Mail<br><input type="checkbox"/> Hand Delivery<br><input checked="" type="checkbox"/> E-mail            |
| Garrick Baxter<br>Idaho Department of Water Resources<br>P.O. Box 83720<br>Boise, Idaho 83720-0098<br><a href="mailto:garrick.baxter@idwr.idaho.gov">garrick.baxter@idwr.idaho.gov</a>                                                                        | <input type="checkbox"/> U.S. Mail/Postage Prepaid<br><input type="checkbox"/> Facsimile<br><input type="checkbox"/> Overnight Mail<br><input type="checkbox"/> Hand Delivery<br><input checked="" type="checkbox"/> E-mail            |
| Robyn M. Brody<br>Brody Law Office, PLLC<br>PO Box 554<br>Rupert, ID 83350<br><a href="mailto:rbrody@cableone.net">rbrody@cableone.net</a><br><a href="mailto:robynbrody@hotmail.com">robynbrody@hotmail.com</a>                                              | <input type="checkbox"/> U.S. Mail/Postage Prepaid<br><input type="checkbox"/> Facsimile<br><input type="checkbox"/> Overnight Mail<br><input type="checkbox"/> Hand Delivery<br><input checked="" type="checkbox"/> E-mail            |
| Fritz X. Haemmerle<br>Haemmerle & Haemmerle, PLLC<br>PO Box 1800<br>Hailey, ID 83333<br><a href="mailto:fxh@haemlaw.com">fxh@haemlaw.com</a>                                                                                                                  | <input checked="" type="checkbox"/> U.S. Mail/Postage Prepaid<br><input type="checkbox"/> Facsimile<br><input type="checkbox"/> Overnight Mail<br><input type="checkbox"/> Hand Delivery<br><input checked="" type="checkbox"/> E-mail |
| J. Justin May<br>May, Browning & May, PLLC<br>1419 West Washington<br>Boise, ID 83702<br><a href="mailto:jmay@maybrowning.com">jmay@maybrowning.com</a>                                                                                                       | <input type="checkbox"/> U.S. Mail/Postage Prepaid<br><input type="checkbox"/> Facsimile<br><input type="checkbox"/> Overnight Mail<br><input type="checkbox"/> Hand Delivery<br><input checked="" type="checkbox"/> E-mail            |

**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.

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**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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Received by CS Date 3/7/14 Time 11:45 AM  
\$25.00 fee Received by CS # C098430 Date 3/7/14  
\$25 -