

07/2008

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF PROTEST

RECEIVED

DEC 09 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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. 78891 in the name of Albion 12 Investments
2. Name of protestant Grant Clark
3. Protestant's Representative for service (If different than protestant)
Michael P. Tribe
4. Service mailing address 615 H. Street, P.O. Box 396, Rupert, ID 83350
5. Service telephone no. 208-486-4717 Email Address: Mpt@idlawfirm.com
6. Basis of protest (including statement of facts and law upon which the protest is based)

Water Rights of the protestant would be injured, which include U 45-256 A, 45-2663, 45-284 C, 45-286. The transfer would not be in the local public interest & the change would adversely affect the local economy & the watershed.
(additional pages may be attached to describe nature of the protest)

7. What would resolve your protest? A master water use agreement detailing Rotation of available water to assure proper and useful diversion Rate.

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 6 day of December, 2013.

Protestant

Michael P. Tribe

Protestant's Representative

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.

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.
-

FOR DEPARTMENT USE ONLY

Received by DM /TF Date 12/9/2013 Time 12:15 pm
\$25.00 fee Receipted by DM # S033690 Date 12/9/2013

BRENT T. ROBINSON
MICHAEL P. TRIBE

W. REED COTTEN

ROBINSON & TRIBE
ATTORNEYS AT LAW
615 "H" STREET
P. O. BOX 396
RUPERT, IDAHO 83350-0396

AREA CODE 208
TELEPHONE 436-4717
FAX 436-6804

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**DEPT. OF WATER RESOURCES
SOUTHERN REGION**

December 6, 2013

Director, Dept. of Water Resources
Southern Region
1341 Fillmore Street, Suite 20C
Twin Falls, Idaho 83301

RE: Albion 12 Investments, LLC – Grant Clark

To Whom it May Concern:

Enclosed please find the Notice of Protest from Grant Clark, together with our firm's check in the amount of \$25.00 which represents the protest fee. If you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,



Michael P. Tribe

MPT:bcl
Enclosures