

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF PROTEST
Application for Transfer 78560

RECEIVED
AUG 26 2013
WATER RESOURCES
WESTERN REGION

August 26, 2013

1. Matter being protested

Application for Transfer No. 78560 for Idaho Water Company, LLC involving water right 61-10841.

2. Name of protestant

United States Department of the Interior
Bureau of Land Management
Idaho State Office
1387 South Vinnell Way
Boise, Idaho 83709-1657

3. Protestant's Representative for service (if different than protestant)

Fredric W. Price (contact person)

4. Service mailing address

same as above

5. Service telephone no.

(208) 373-3831

6. Basis of protest (including statement of facts and law upon which the protest is based).

Idaho Water Company, LLC filed an Application for Transfer that describes a legal land description under the Place of Use (POU) element which contains both private and federal public land (BLM) (see below). The POU description should be specific enough to make it clear that only private land is intended.

POU:

T04S, R05E, S19, NESE, 28 acres mixed ownership (private/BLM)

7. What would resolve your protest?

Amend the Application for Transfer to clarify that federal public land is excluded from the POU element by including a condition which limits the POU to the privately owned portions of the legal land description listed above:

POU:

- a. "Place of use does not include federal public lands."

I hereby, acknowledge that if I, or my designated representative, fail 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 26th day of August 2013.



Protestant

Gary A. Madenford

Water Rights Team Leader

Attachments:

◆Maps prepared by BLM for illustrative purposes.

◆Master Title Plat: T04S, R05E

FOR DEPARTMENT USE ONLY

Received by MG

Date 8/26/13

Fee Paid \$25.00 Date 3:37pm Received by MG

Receipt # W041469

CERTIFICATE OF SERVICE

I certify that on August 26, 2013, I served a true and correct copy of the **“Protest of Application for Transfer 78560 for Idaho Water Company, LLC”** with enclosures upon the following individuals by placing the documents in the United States mail in Boise, Idaho, postage paid, and addressed as follows:

Original to:

Idaho Department of Water Resources (IDWR)
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

Copies to:

Idaho Water Company, LLC
C/O Del Kohtz,
1135 Valley Road South
Eden, ID 83325

SPF Water Engineering, LLC
C/o Lori Graves (Water Rights Specialist)
300 E. Mallard Dr., Suite 350
Boise, ID 83706

James Tarter, Riparian Specialist
U.S., Department of the Interior,
Bureau of Land Management,
Boise Field Office
3948 Development Avenue
Boise, ID 83705

Brandon Anderson
Person Serving Documents (print name)

Brandon Anderson
Signature of Person Serving Documents

61-10841, Transfer 78560, Idaho Water Company, LLC



