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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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WATER RESOURCES

JUN 26 2013

NOTICE OF PROTEST

DEPT. OF WATER RESOURCES

SOUTHERN REGION

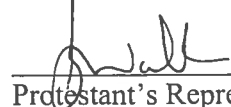
This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, and 42-222, Idaho Code. The department will also accept a timely protest not completed on this form if it contains the same information.

1. Matter being protested Transfer No. 78255 in the name of The Valley Club, Inc.
2. Name of protestant Wood River Valley Irrigation District 45
3. Protestant's Representative for service (If different than protestant)
Andrew J. Waldera of Moffatt Thomas Barrett Rock & Fields, Chtd.
4. Service mailing address P.O. Box 829, Boise, ID 83701-0829
5. Service telephone no. (208) 345-2000 Email Address: ajw@moffatt.com
6. Basis of protest (including statement of facts and law upon which the protest is based)
A) Protestant is concerned that the proposed transfer could result in an enlargement in violation of Idaho Code Section 42-222. This is because the applicant proposes the creation of an irrigation PPU larger than the historic irrigation place of use covered by the subject water rights.
B) Protestant is also concerned with potential surface water right injury stemming from increased use of groundwater right no. 37-02623 to irrigate in excess of the 143.8 acres historically irrigated under the right. This increased groundwater use could adversely impact interconnected surface water flows and interfere with senior surface water rights.
7. What would resolve your protest?
Denial of the transfer, or sufficient conditioning (including water use accounting) designed to protect downstream users from injury.

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 24th day of June, 2013.

Protestant



Protestant's Representative

#25- received 6/24/2013 #C097392

CLIENT:2921384.1