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RECEIVED

JUN 03 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Attorneys for Buckeye Farms, Inc.

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION FOR
PERMIT NO. 36-16965

NOTICE OF PROTEST

In the name of Larry & Nan Allison-Stone

BUCKEYE FARMS, INC. (the "Protestant"), by and through its attorneys of record, file this *Notice of Protest* to the approval of the above-numbered *Application for Permit* filed by the LARRY and NAN ALLISON-STONE (the "Applicants").

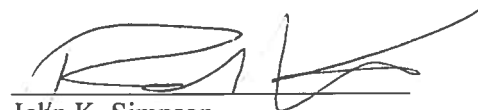
The initial bases for the protest are as follows:

1. The Applicant has failed to demonstrate that diversions under the proposed water right would not injure senior water rights, including senior water rights in the Big Bend Ditch.
2. The Applicant has failed to demonstrate that there is an adequate water supply available to fill this water right.
3. The proposed diversion and use of the waters described in the Application violates all, or a portion of, the criteria set forth in Idaho Code Section 42-203A(5).
4. For such other and further reasons as may be discovered or set forth at the hearing on this matter.

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DATED this 3rd day of June, 2013.

BARKER RSHOLT & SIMPSON LLP

A handwritten signature in black ink, appearing to be 'J. K. Simpson', written over a horizontal line.

John K. Simpson
Paul L. Arrington

Attorneys for Buckeye Farms, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of April, 2013, I served a copy of the foregoing NOTICE
OF PROTEST, by hand-delivery to the following:

Idaho Department of Water Resources
Southern Region
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

And by U.S. Mail to:

Larry & Nan Allison-Stone
P.O. Box 1331
Sun Valley, ID 83353



Paul L. Arrington

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