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Reservoir District #2*

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MAY 17 2010

DEPT. OF WATER RESOURCES
SOUTHERN REGION

RECEIVED

MAY 18 2010

Department of Water Resources
Eastern Region

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

IN THE MATTER OF APPLICATION)
FOR TRANSFER NO. 76299)
(in the name of Snake River Valley)
Irrigation District))
_____)

NOTICE OF JOINT PROTEST

AMERICAN FALLS RESRDVOIR DISTRICT #2, A&B IRRIGATION DISTRICT,
BURLEY IRRIGATION DISTRICT, MILNER IRRIGATION DISTRICT, NORTH SIDE
CANAL COMPANY, and TWIN FALLS CANAL COMPANY (hereinafter "Protestants"), by
and through their attorneys of record, hereby file this *Notice of Joint Protest* to the approval of
the above-numbered application for transfer filed by Snake River Valley Irrigation District
("Applicant"). The initial bases for the protests are as follows:

NOTICE OF JOINT PROTEST

FOR OFFICE USE ONLY

Fee: ~~\$25.00~~ 150

Receipt No. 5031439

Receipt by: [Signature]

Date Received: 5-17-10

1. The Applicant has failed to provide sufficient evidence regarding the effects of the proposed transfer and whether or not it will result in an expansion of the water right; and
2. If not properly conditioned or denied, approval of the transfer will result in injury to the Protestants' water rights;
3. The application fails to set forth sufficient information regarding the history of water use under water right 1-328, including delivery of water to the lands specifically identified to be served by the new point of diversion.
4. The application violates the criteria of I.C. § 42-222(1); and
5. For such other and further reasons as may be discovered or set forth at the hearing on this matter.

DATED this 17th day of May, 2010.

BARKER RSHOLT & SIMPSON LLP



Travis L. Thompson

*Attorneys for A&B Irrigation District,
Burley Irrigation District, Twin Falls Canal Company,
North Side Canal Company, and Milner Irrigation District*

CAPITOL LAW GROUP PLLC



C. Thomas Arkoosh

*Attorneys for American Falls
Reservoir District #2*

CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of May, 2010, I served a true and correct copy of the foregoing *Notice of Joint Protest*, by depositing same in the United States mail, postage prepaid, addressed to the following:

Snake River Valley Irrigation District
221 S. Emerson
Shelley, Idaho 83274


Travis L. Thompson