

ROBINSON & ASSOCIATES

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

AREA CODE 208
TELEPHONE 436-4717
FAX 436-6804

BRENT T. ROBINSON
KELLY ARTHUR ANTHON
MICHAEL P. TRIBE

Idaho Department of Water Resources
Eastern Region
900 N. Skyline Drive, Suite A
Idaho Falls, Idaho 83402

RE: **Notice of Protest -
Samaria Water and Irrigation Company against
claim of Andrew R. Bybee to Right No. 15-07305**

Dear Sir:

Enclosed herewith is a *Notice of Protest* for filing with IDWR on behalf of the Samaria Water and Irrigation Company regarding Right No. 15-07305. Also enclosed is our firm's check in the amount of \$25.00 for filing fees. Please do not hesitate to contact me if you have any questions or need further clarification. Thank you.

Very truly yours,

ROBINSON & ASSOCIATES



Michael P. Tribe

encs

RECEIVED

AUG 06 2008

Department of Water Resources
Eastern Region

**STATE OF IDASHO
DEPARTMENT OF WATER RESOURCES**

NOTICE OF PROTEST

This form may be used to file a protest with the department under sections 42-108B, 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 15-7305 Andrew R. Bybee
2. Name of protestant The Samaria Water and Irrigation Company
3. Protestant's Representative for service (If different than protestant) David Reel, President
4. Service mailing address 5176 S. 4400W. Malad, ID 83252
5. Service telephone no. (208) 766-2808 Email Address: David.Reel@ATK.com; drr@Atenet.net
6. Basis of protest (including statement of facts and law upon which the protest is based)

Samaria Water and Irrigation Company has filings and late proof from 11/5/1951 & 4/10/1951 for

<u>19071 / 15-2024</u>	<u>3.5 cfs</u>	<u>August 28, 1940</u>	<u>1,483 acre-feet</u>
<u>18948 / 15-2023</u>	<u>3.0 cfs</u>	<u>May 1, 1940</u>	<u>1,272 acre-feet</u>

(Additional pages may be attached to describe nature of the protest)

7. What would resolve your protest? Proof of priority and evidence of historical use.

The proposed right 15-7305 would interfere with Samaria's existing rights.

I hereby acknowledge that if I, or my designated representative, fails to appear at any regularly schedule 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 4th day of August, 2008.

The Samaria Water and Irrigation Company
Protestant

Michael P. Tribe

Michael P. Tribe, attorney for Protestant - Protestant's Representative

*Receipt
#E034312*

RECEIVED

AUG 6 2008

Department of Water Resources
Eastern Region