

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF PROTEST

This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, 42-222 and 42-224, 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: Application for Transfer No. 72150, in the Name of Salmon Falls Land and Livestock.

2. Name of protestant: Idaho Rural Council, Inc.

3. Protestant's Representative for service (If different than protestant):
Richard Carlson, Attorney at Law.

4. Service mailing address: P.O. Box 21, Filer, ID 83328

5. Service telephone no.: (208)326-3686.

6. Basis of protest (including statement of facts and law upon which the protest is based): The transfer application does not meet the requirements of Idaho Code 42-222 in that: (1) it is likely to cause injury to other water rights (2) it likely constitutes an enlargement in use of the original right (3) it is inconsistent with the conservation of water resources within the State of Idaho (4) it is not in the local public interest (5) it is likely to cause a further deterioration of air quality in the area. Protestant contends that the applicable "public interest" criteria which should be applied is the one that was in effect when applicant was denied this transfer in 2004.

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

7. What would resolve your protest? Protestant needs more information about the design and operation of the proposed facility before answering this question

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 29th day of September, 2005.

Idaho Rural Council, Inc. by Richardson, Attorney at Law
Protestant: Idaho Rural Council, Inc.

Richardson, Attorney at Law
Protestant's Representative

9/29/05
C. Hahn
5028031

RECEIVED
SEP 29 2005
Department of Water Resources
Southern Region