

EMMETT IRRIGATION DISTRICT

RECEIVED

JUN 15 2006

WATER RESOURCES
WESTERN REGION

June 13, 2006

Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705

To Whom It May Concern:

Emmett Irrigation District is protesting the Emmett School District #221 filing for irrigation water right 65-23037. Enclosed is our "Notice of Protest" along with a check in the amount of \$25.00. A copy of this has been sent to the School District.

Sincerely,



Carla Porath
District Secretary

Cc: Emmett School Dist #221

RECEIVED

November 26, 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JUN 15 2006

WATER RESOURCES
WESTERN REGION

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 65-23037
2. Name of protestant Emmett Irrigation District
3. Protestant's Representative for service (If different than protestant)
Bert Osborn, Attorney
4. Service mailing address P O Box 158, Payette, ID 83661
5. Service telephone no. (208) 642-4458

6. Basis of protest (including statement of facts and law upon which the protest is based)

The property lies within the boundary of the Emmett Irrigation District

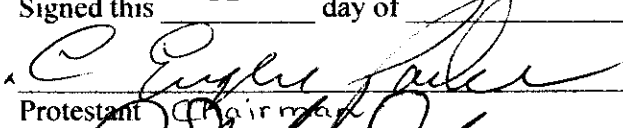
and was serviced by the district prior to the School District purchasing the property. The assessment is based on a 14 acre water entitlement.

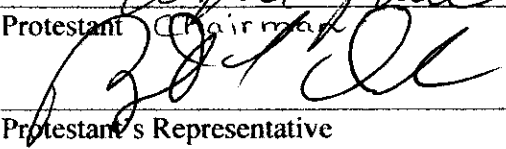
The district met with the contractor when the school was being developed and informed of how and what system was needed to utilize the water. The irrigation district has a sufficient water supply to service these grounds.
(additional pages may be attached to describe nature of the protest)

7. What would resolve your protest? For the school district to utilize the surface water available to them from the irrigation district and for which they are being assessed.

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 12 day of June, 2006.


Protestant Chairman


Protestant's Representative

NOTE:

A protestant is required to timely file a protest with the department together with a \$25.00 protest fee for each application being protested in order for the protestant to be considered a full party by the department. In addition, the department's Rule of Procedure, IDAPA 37.01.01203, requires a protestant to send a copy of a protest to the applicant.

INSTRUCTIONS

1. The matter being protested must be clearly identified. A typical matter is identified by the application number such as "Application for Permit No. _____ in the name of _____" or "Application for Transfer No. _____ in the name of _____."
 2. Show the name of the protestant. Only one (1) protestant may be shown per protest form. If this protest form is signed by more than one person, the hearing officer will consider the first signer as the official protestant and the representative for service of documents.
 3. If the protestant is represented by an attorney or other authorized representative, show the representative's name. The department then will serve documents on the representative and upon the protestant if specifically requested.
 4. Show the address where the department is to serve the documents. This should be the address of the authorized representative unless the protestant does not designate a representative.
 5. Show the telephone number of the authorized representative unless the protestant does not designate a service representative.
 6. Specifically describe the nature of the protest.
 7. Describe the relief being sought by the protestant.
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FOR DEPARTMENT USE ONLY

Received by DB Date 6-15-06 Time 12:00 pm
\$25.00 fee Received by DB # W034322 Date 6-15-06