

John A. Rosholt
John K. Simpson
Amy D. Chestnut
BARKER ROSHOLT & SIMPSON LLP
205 North 10th Street, Suite 520
P.O. Box 2139
Boise, Idaho 83701-2139
Telephone: (208) 336-0700
Fax: (208) 344-6034
ISB #1037, 4242, 5904

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WATER RESOURCES
WESTERN REGION

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF)
APPLICATION FOR PERMIT)
NUMBER 45-7731 in the name of)
RONALD J TURNER and/or LOVELL)
J. TURNER and/or JOYE SIMPSON)
_____)

NOTICE OF PROTEST

TWIN FALLS CANAL COMPANY and NORTH SIDE CANAL COMPANY (hereinafter the "Canal Companies"), by and through their attorneys, Barker Rosholt & Simpson, file this Notice of Protest to the approval of the above-numbered Application for Permit filed by Ronald J Turner and/or Lovell J. Turner and/or Joye Simpson. The basis for the Canal Companies' protest is as follows:

1. The proposed application will result in injury to the Canal Companies in that depletion will occur in the reaches of the Snake River that supply the Canal Companies' water rights;
2. This application violates the *Amended Moratorium Order, In the Matter of Applications for Permit for the Diversion and Use of Surface and Ground Water within the Eastern Snake River Plain Area and Boise River Drainage Area* (April 30, 1993) ("Moratorium Order");

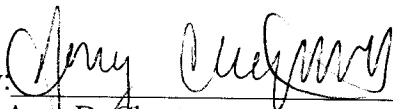
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2. The applicant has not provided sufficient information to determine that this application for permit will not result in additional consumptive use;
3. The application violates the criteria of I.C. §42-203A(5); and,
4. For such other and further reasons as may be set forth at the hearing on this matter.

DATED this 22nd day of December, 2003.

BARKER ROSHOLT & SIMPSON

By: 
Amy D. Chestnut

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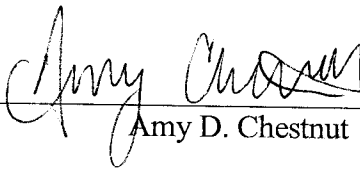
Department of Water Resources
Southern Region

CERTIFICATE OF MAILING

I hereby certify that on this 22nd day of December, 2003, I served a copy of the foregoing NOTICE OF PROTEST, by depositing same in the United States mail, postage prepaid, in an envelope, addressed to the following:

Idaho Department of Water Resources
Southern Regional Office
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301
(original with filing fee filed in IDWR Western office)

Ronald Turner
871 E 350 N
Declo, Idaho 83323



Amy D. Chestnut

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