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RECEIVED  
SEP 20 2004  
Department of Water Resources  
Southern Region

Attorneys for Twin Falls Canal Company and  
North Side Canal Company

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION )  
FOR TRANSFER NO. 71098 ) **NOTICE OF PROTEST**  
in the name of BARRY J. CHRISTENSEN )  
(water right nos. 35-2313B, 35-2110, )  
35-2080, 35-2722, 35-7095E, and 35-7778) )  
\_\_\_\_\_)

TWIN FALLS CANAL COMPANY and NORTH SIDE CANAL COMPANY  
(hereinafter "Canal Companies"), by and through their attorneys of record, BARKER  
ROSHOLT & SIMPSON LLP, hereby file this *Notice of Protest* to the approval of the above-  
numbered application for transfer filed by Barry J. Christensen. The initial basis for the Canal  
Companies' protest is as follows:

1. The application violates the criteria of I.C. § 42-222(1); and
2. The proposed application will result in injury to the Canal Companies in that  
depletion will occur to the Snake River that supplies the Canal Companies' water rights; and
3. The application fails to provide sufficient information regarding a mitigation plan  
to cover the negative impacts to the Shelley to Neeley reach of the Snake River; and

NOTICE OF PROTEST (application for transfer no. 71098)

R# SO 27057  
9/20/04  
MB

4. For such other and further reasons as may be discovered or set forth at the hearing on this matter.

DATED this 20<sup>th</sup> day of September 2004.

BARKER ROSHOLT & SIMPSON LLP



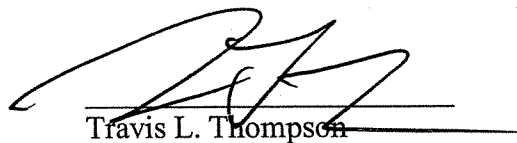
Travis L. Thompson

Attorneys for Twin Falls Canal Company and  
North Side Canal Company

CERTIFICATE OF SERVICE

I hereby certify that on this 20<sup>th</sup> day of September, 2004, I served a true and correct copy of the foregoing *Notice of Protest*, by depositing same in the United States mail, postage prepaid, addressed to the following:

Barry J. Christensen  
1198 West 125 North  
Blackfoot, Idaho 83221



Travis L. Thompson