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Attorney for Idaho Power Company

RECEIVED
JAN 22 2024
DEPARTMENT OF
WATER RESOURCES

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION FOR
TRANSFER NO. T88699,

In the name of Farmland Reserve, Inc.

NOTICE OF PROTEST

IDAHO POWER COMPANY (the "Protestant"), by and through its attorneys of record, files this *Notice of Protest* to the approval of the above-numbered *Application for Transfer* filed by Farmland Reserve, Inc., (the "Applicant").

The initial bases for the protest are as follows:

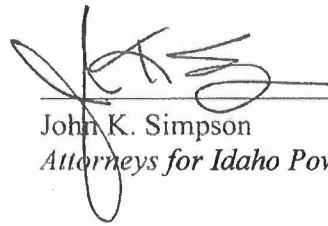
1. The proposed mitigation plan fails to specifically identify the source of mitigation, certainty of available water supply or the amount of mitigation. As such the Applicant has failed to demonstrate that the transfer will not injure existing water rights.
2. The Applicant has failed to show that the Application meets the criteria required by

Idaho Code § 42-222.

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

DATED this 22nd of January, 2024.

MARTEN LAW LLP

A handwritten signature in black ink, appearing to read 'JKS', is written over a horizontal line.

John K. Simpson
Attorneys for Idaho Power Company

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of January, 2024, I served the original of the foregoing **NOTICE OF PROTEST**, by hand-delivering or depositing same in the U.S. Mail, postage prepaid, as indicated, addressed to the following:

Idaho Department of Water Resources
Idaho Water Center
322 East Front Street
Boise, Idaho 83702-7374

_____ U.S. Mail, Postage Prepaid
 X Hand Delivery
_____ Overnight Mail
_____ Facsimile
_____ Email

And by U.S. Mail to:

FARMLAND RESERVE INC

79 S MAIN ST STE 1000

SALT LAKE CITY UT 84111-1945

Via Email to:

Rob Harris

rharris@holdenlegal.com

Greg Sullivan

Brockway Engineering PLLC

greg.sullivan@brockwayeng.com



John K. Simpson

Idaho Department of Water Resources Receipt
Receipt ID: C117680

Payment Amount	\$25.00	Date Received	1/22/2024	Region	STATE
Payment Type	Charge Card				
Payer	BARKER, ALBERT P				
Comments	NOTICE OF PROTEST IN THE MATTER OF APPLICATION FOR TRANSFER NO. T88699 IN THE NAME OF FARMLAND RESERVE, INC ORDERID: 61800254 LOCAL REFID: PA9InEUuDEO763YF33UmgQ== TOTAL PAID: \$26.75(FEEs: \$1.75) AUTH_CODE: 644279 REC DATE: 1/22/2024 03:54:42 PM MST				

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$25.00	PROTESTS	56103	0229	21		1155



Signature Line (Department Representative)