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DEPARTMENT OF
WATER RESOURCES

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Attorney for Idaho Power Company

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

IN THE MATTER OF APPLICATION FOR
TRANSFER NO. 87498,

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 source of water has been recognized as Trustwater by the State of Idaho as defined in IDAPA 37.03.08.031(a) and mitigation may be required consistent with the ESPA Transfer Spreadsheet, listed as attachment number 5, in the Application for Transfer.
2. The application's analysis mistakenly applies the ESPA Transfer Tool and

NOTICE OF PROTEST

therefore, mitigation may be required under the analysis.

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

DATED this 13th of March, 2023.

MARTEN LAW LLP



John K. Simpson
Attorneys for Idaho Power Company

FOR OFFICE USE ONLY

FEES PAID: \$50.00 DATE: 3/13/2023
RECIPT NO.: C115562

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of March, 2023, 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
☒ Hand Delivery
☐ Overnight Mail
☐ Facsimile
☐ Email

Farmland Reserve, Inc.
79 S Main Street
Salt Lake City, UT 84111

☐ U.S. Mail, Postage Prepaid
☐ Hand Delivery
☐ Overnight Mail
☐ Facsimile
☒ Email:
naturalresources@farmlandreserve.org



John K. Simpson