

RECEIVED

APR 03 2025

DEPT. OF WATER RESOURCES
EASTERN REGION

John K. Simpson, ISB #4242
Travis L. Thompson, ISB #6168
Abby R. Bitzenburg, ISB #12198
MARTEN LAW LLP
163 Second Avenue West
P.O. Box 63
Twin Falls, Idaho 83303-0063
Telephone: (208) 733-0700
Email: jsimpson@martenlaw.com
tthompson@martenlaw.com
abitzenburg@martenlaw.com

Norman M. Semanko, ISB #4761
Garrett M. Kitamura, ISB #11502
PARSONS BEHLE & LATIMER
800 W. Main St. Suite 1300
Boise, Idaho 83702
Telephone: (208) 562-4900
Email: nsemanko@parsonsbehle.com
gkitamura@parsonsbehle.com

*Attorneys for American Falls Reservoir
District #2 and Minidoka Irrigation District*

*Attorneys for A&B Irrigation District, Burley
Irrigation District, Milner Irrigation District,
North Side Canal Company, and Twin Falls
Canal Company*

RECEIVED
MAR 31 2025
DEPT. OF WATER RESOURCES
SOUTHERN REGION

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

IN THE MATTER OF APPLICATION FOR
TRANSFER NO. T89548

NOTICE OF JOINT PROTEST

In the name of Farmland Reserve, Inc.

A&B IRRIGATION DISTRICT, AMERICAN FALLS RESERVOIR DISTRICT #2,
BURLEY IRRIGATION DISTRICT, MILNER IRRIGATION DISTRICT, MINIDOKA
IRRIGATION DISTRICT, NORTH SIDE CANAL COMPANY and TWIN FALLS CANAL
COMPANY (the "Coalition" or "Protestants"), by and through their attorneys of record, hereby file
this *Notice of Joint Protest* to the approval of the above-numbered *Application for Transfer* filed by
FARMLAND RESERVE, INC. (the "Applicant").

The initial bases for protest are as follows:

1. The history and quantification of each water right's consumptive use is not clear
from the face of the application and accompanying materials. Without additional information it
appears the transfer could result in an unlawful enlargement of water right nos. 29-10265, 35-7969,
35-2632, 35-8218, 35-7914, 35-14861, 35-14860, 35-14845, 35-14241, 35-14655.

2. The Applicant has failed to demonstrate that the transfer will not injure existing water rights.
3. The Applicant has failed to show that the Application meets the criteria required by Idaho Code § 42-222.
4. For such other and further reasons as may be discovered.

DATED this 31st day of March, 2025.

MARTEN LAW LLP



John K. Simpson
Travis L. Thompson
Abby R. Bitzenburg

*Attorneys for A&B Irrigation District, Burley
Irrigation District, Milner Irrigation District,
North Side Canal Company, and Twin Falls
Canal Company*

PARSONS BEHLE & LATIMER

/s/ Norman M. Semanko

Norman M. Semanko
Garrett M. Kitamura

*Attorneys for American Falls Reservoir District
#2 & Minidoka Irrigation District*

CERTIFICATE OF SERVICE

I hereby certify that on this 31st day of March, 2025, I served a copy of the foregoing

NOTICE OF PROTEST, by hand-delivery to the following:

Idaho Department of Water Resources
Southern Region
650 Addison Ave W, Ste 500
Twin Falls, Idaho 83301-5858

And by U.S. Mail to:

Farmland Reserve, Inc.
60 E. South Temple Ste. 1700
Salt Lake City, UT 84111

Via Email to:

Rob Harris
rharris@holdenlegal.com

Greg Sullivan
Brockway Engineering PLLC
greg.sullivan@brockwayeng.com



Abby R. Bitzenburg

FOR OFFICE USE ONLY

Fee: \$50.00
Receipt No. S040586
Receipt by: S. George
Date Receipted: 3/31/2025