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DEPT. OF WATER RESOURCES

Receipt C118083

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APR 04 2024

DEPT. OF WATER RESOURCES
EASTERN REGION

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

IN THE MATTER OF APPLICATION FOR
TRANSFER NO. T88765,

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 Applicant has failed to demonstrate that the proposed transfer, individually, will not impact water supplies available to existing water rights, including those rights held by the Protestant.

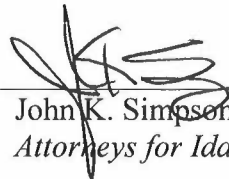
2. The proposed mitigation for Transfer No. 88765, when combined with proposed transfers nos. 88772, 88767 and 88781, would require mitigation under the Department's informal Transfer Processing Memorandum No. 24, dated December 21, 2009. As such the Applicant has failed to demonstrate that the transfer 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 or set forth at the hearing on this matter.

DATED this 1st day of April, 2024.

MARTEN LAW LLP



John K. Simpson

Attorneys for Idaho Power Company

CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of April, 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
☐ Hand Delivery
☐ Facsimile
☐ Overnight Mail
☐ Email

FARMLAND RESERVE INC
79 S MAIN ST STE 1000
SALT LAKE CITY UT 84111-1945

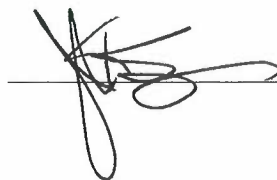
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