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District #2 and Minidoka Irrigation District*

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DEPT OF WATER RESOURCES
SOUTHERN REGION

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FEB 09 2023

Department of Water Resources
Eastern Region

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

IN THE MATTER OF APPLICATION)
FOR TRANSFER 87297)
(in the name of Russell & Malissa)
Schwendiman))
_____)

NOTICE OF JOINT PROTEST

A&B IRRIGATION DISTRICT, BURLEY IRRIGATION DISTRICT, MILNER
IRRIGATION DISTRICT, NORTH SIDE CANAL COMPANY, TWIN FALLS CANAL
COMPANY, AMERICAN FALLS RESERVOIR DISTRICT #2, AND MINIDOKA
IRRIGATION DISTRICT (hereinafter "Protestants"), by and through their attorneys of record,
BARKER ROSHOLT & SIMPSON LLP, and FLETCHER LAW OFFICE, hereby file this
Notice of Joint Protest to the approval of the above-numbered application for transfer filed by
RUSSELL & MALISSA SCHWENDIMAN ("Applicant"). The initial bases for the protests are
as follows:

1. The Applicant has failed to adequately demonstrate the transfer will not result in
an enlargement of the existing water rights; and

SCANNED
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2. Approval of the transfer without adequate mitigation or proper conditions will result in injury to the Protestants' water rights; and
3. The application violates the criteria of I.C. § 42-222; and
4. For such other and further reasons as may be discovered or set forth at the hearing on this matter.

DATED this 6th day of February, 2023.

FLETCHER LAW OFFICE


W. Kent Fletcher

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

BARKER ROSHOLT & SIMPSON LLP


Travis L. Thompson

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

CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of February, 2023, I served a true and correct copy of the foregoing NOTICE OF JOINT PROTEST;

By Hand-Delivery to the following:

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

And by United States Mail to:

Russell & Malissa Schwendiman
30 Meadow Creek Rd.
Ririe, Idaho 83443

Email to: Rocky Mtn. Environmental, kristin.rmea@gmail.com


Travis L. Thompson