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MAR 25 2013

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF PROTEST

This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, and 42-222, Idaho Code. The department will also accept a timely protest not completed on this form if it contains the same information.

1. Matter being protested Application for Permit No. 1-10609 in the name of the Idaho Water Resource Board

2. Name of protestant Trout Unlimited Inc.

3. Protestant's Representative for service (If different than protestant) Peter R. Anderson

4. Service mailing address 910 W. Main St., Suite 342, Boise, ID 83702

5. Service telephone no. 208-345-9800 Email Address: panderson@tu.org

6. Basis of protest (including statement of facts and law upon which the protest is based)
Without appropriate conditions or enforceable agreements to avoid or mitigate the fisheries and other environmental impacts of this proposed water use, the Applicant cannot meet its burden to establish those facts necessary for the approval of this application under Idaho Code § 42-203A(5) and the Water Appropriation Rules, IDAPA 37, Title 03, Chapter 08. Specifically, the provisions of the Eastern Snake Plain Aquifer Management Plan should be implemented in conjunction with this proposed water use.

(additional pages may be attached to describe nature of the protest)

7. What would resolve your protest? Appropriate conditions or enforceable agreements to avoid or mitigate the fisheries and other environmental impacts of this proposed water use, as contemplated by the provisions of the Eastern Snake Plain Aquifer Management Plan

I hereby, acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 25th day of March, 2013.

Trout Unlimited Inc.

Protestant



Protestant's Representative