

07/2008

RECEIVED

APR 01 2009

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER RESOURCES
WESTERN REGION

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 transfer No. 73811 in the name of Idaho Water Co. LLC

2. Name of protestant City of Mountain Home

3. Protestant's Representative for service (If different than protestant)
Wayne Shepherd, Director of Public Works

4. Service mailing address P.O. Box 10, Mountain Home, Idaho 83647

5. Service telephone no. (208) 587-2408 Email Address: wshepherd@mountain-home.us

6. Basis of protest (including statement of facts and law upon which the protest is based)
Section 42.222, Idaho Code specifies that no transfer can be allowed which injures another water right. The City is concerned that the proposed transfer will adversely affect our ability to utilize its water rights in the future in a declining aquifer.
(additional pages may be attached to describe nature of the protest)

7. What would resolve your protest? If groundwater modeling or other science shows that the proposed transfer does not affect the City's water rights.

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 30th day of March, 2009

City of Mountain Home
Protestant

Wayne Shepherd
Protestant's Representative

#25- received 4-1-09 by DB #W037315