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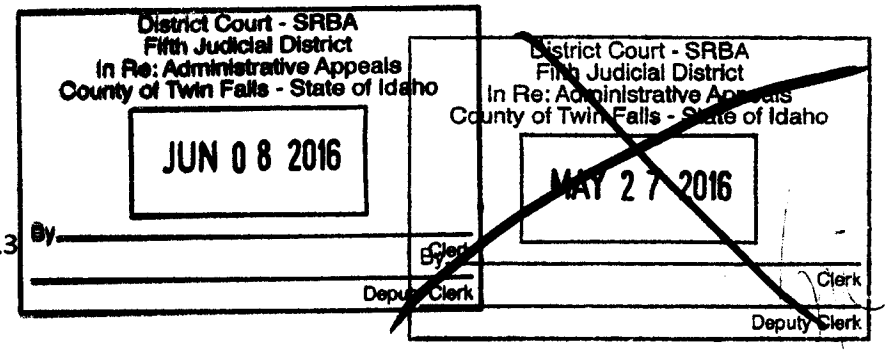

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PRO SE

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF STATE OF IDAHO,

IN AND FOR THE COUNTY OF TWIN FALLS

IN THE MATTER OF APPLICATION FOR REVIEW TRANSFER NUMBER 79357 AND 79380 TWIN FALLS, COUNTY	**Case No. CV-42-2015-4552**
RICHARD PARROTT	**Transfer Protest Parrott Brief**
Petitioner,	Correct page 3
vs	
IDAHO DEPARTMENT OF WATER RESOURCES AND Gary Spackman, in his official capacity as Director of IDWR And Cedar Ridge Dairy, LLC, Intervenor	
Respondents	

What seems and was a long time ago (April 2015), Cedar Ridge Dairy applied to IDWR for a water transfer from the Leno Ranch 40 miles south of the dairy and 1 mile north of the Nevada border.

Idaho Water, a water broker, had facilitated three transfers from Leno and they were previously unprotested. Two went in the Buhl area, north of the "Highlive Canal" of the Twin Falls Canal company where ample domestic amounts of water is found. The other went to an isolated farm 2 miles north of Hollister which has not been tapped yet.

When by accident, affected citizens learned of the proposed three (eventually four) transfers, protests were filed by twenty plus citizens and five more citizens operated under one individual.

Protestants were told IDWR and the court would not listen to protestants information. Endless and apparent useless interrogatories followed. A forest service engineer was praised by Ed Squires for his knowledge and experience in water flow theory.

One protestant, a dairy nutritionist who was most affected by the proposed transfer to the 3300 North road, hired Attorney Coleman. This dairy nutritionist and other protestants live south of the 3300 North road in the Berger area. She has since sold her cherished ~~house~~ horse property.

The 3300 North Road transfer, within 400 plus feet of existing rural homes, was rejected by Ceflo based on a "case by case" decision (apparently based on potential damage to those in proximity). Three other transfers were approved by hearing officer Ceflo.

One labeled "Four Sisters" was promoted by IDWR to allow transfers between the east and west dairy sites on the 3100 North road. Two other transfers were proposed for two existing dairy sites.

→ Ceflo's stipulation was that the "cow cooling water" water right could not be used in the winter.

→ Ceflo also did not allow a 1970 water right priority date from Leno to be transferred to new wells at the ~~3100~~ 3500 (Jun 8, 2016) road ___. The two existing dairy sites and their wells are hundreds of feet from the highline canal, which is charged and leaks 7-8 months of the year. The actual dairy sites are a mile apart.

South (higher in elevation) and north (lower in elevation) of the highline canal, there are hundreds of homes built since 1970 which would suffer in an eventual water call type action if the dairies proved to be draining the local water level.

In what appears to this author to be an act of greediness, Cedar Ridge took the matter of cooling water and priority date directly to Director Spackman.

Spackman overturned Ceflo on priority date (1970) and winter cow cooling water. Spackman issued a final order to that effect. Ed Smith did a scholarly brief explaining why Ceflo was right and Spackman was wrong.

The final order was contradictory and confused. Protestants could not follow it.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 8 day of June, 2016, I served true and correct copies of the foregoing upon the following by the method indicated:

SRBA District Court 253 3rd Ave. North PO Box 2707 Twin Falls, Idaho 83303-2707	_____ U.S. Mail, Postage Prepaid __✓__ Hand Delivery _____ Facsimile _____ Email
Garrick Baxter Meghan Carter Deputy Attorneys General Idaho Department of Water Resources	_____ U.S. Mail, Postage Prepaid _____ Hand Delivery _____ Facsimile __X__ Email
Cedar Ridge Dairy, LLC Travis L. Thompson Paul Arrington 163 2nd Ave.West Box 63 Twin Falls, ID 83303-0063	_____ U.S. Mail, Postage Prepaid _____ Hand Delivery _____ Facsimile __X__ Email