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JUN 06 2017

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

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DEPARTMENT OF
WATER RESOURCES

12:40pm
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NOTICE OF PROTEST

This form may be used to file a protest with the department under section 42-108B, 42-203A, 42-203C, 42-211, 42-222 and 42-224, Idaho Code. The department will also accept a timely protest not completed on this form if it contains all the necessary information.

1. Matter being protested Application for Permit no. 63-34335 in the name of Thorpe Family Trust

2. Name of Protestant United States Department of Interior Bureau of Reclamation

3. Protestant's representative for service (if different than Protestant)

E. Gail McGarry, Manager Water Rights and Acquisition, Pacific Northwest Regional Office, Bureau of Reclamation

4. Service mailing address

E. Gail McGarry, PN-3100, Bureau of Reclamation, 1150 North Curtis Road, Suite 100, Boise Idaho 83706

5. Service telephone number E. Gail McGarry (208) 378-5306

6. Basis of protest (including statement of facts and law upon which the protest is based)

The source of water sought under this application is wastewater, which is subject to the prior and superior right of the original appropriator to cease wasting the water and/or recapture the water. The proposed diversion and use of the waters described in the aforesaid application, unless the source is recognized as wastewater and conditioned to protect the rights and interests of the original appropriator to the wastewater, violate all, or a portion of the criteria set forth in Idaho Code Section 42-203A(5), specifically including subparagraphs (a), (b), (e), (f), and (g).

7. What would resolve your protest?

Resolution of the issues identified in #6 above.

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 5th day of June, 2017

United States Department of Interior Bureau of Reclamation

Protestant

E. Gail McGarry
PROTESTANT'S REPRESENTATIVE

Received by S.O.
C103679