

November 26, 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF PROTEST

RECEIVED
JAN 21 2003
Department of Water Resources
Southern Region

This form may be used to file a protest with the department under sections 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 the same information.

1. Matter being protested Transfer No. 70239 * David R. Mead

2. Name of protestant USDA Forest Service

3. Protestant's Representative for service (If different than protestant)
Steven M. Spencer

Per Workflow:

4. Service mailing address 161 E. Mallard Dr. Suite A, Boise, ID 83706
5. Service telephone no. (208) 331-5944

Forest Service;
Steve Spencer:
1805 Hwy 16, Rm 5
Emmett, ID 83617
(208) 365-7055

6. Basis of protest (including statement of facts and law upon which the protest is based)
Applicant acknowledges on the application that this water use, including points of diversion and place of use, is on National Forest System land. The addition of a new point of diversion is not yet approved by the Forest Service. Because of this, proceeding with approval of this transfer is inappropriate because approval for occupancy has not been finalized.

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

7. What would resolve your protest? Delay approval until occupancy for this new use of
NFS land is authorized.

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 17th day of January, 2003.

USDA Forest Service.

Protestant

Michael Collette

Protestant's Representative

* Re-numbered per new workflow transfer
database 12/2012.
T# 78297

NOTE:

A protestant is required to timely file a protest with the department together with a \$25.00 protest fee for each application being protested in order for the protestant to be considered a full party by the department. In addition, the department's Rule of Procedure, IDAPA 37.01.01203, requires a protestant to send a copy of a protest to the applicant.

INSTRUCTIONS

1. The matter being protested must be clearly identified. A typical matter is identified by the application number such as "Application for Permit No. _____ in the name of _____" or "Application for Transfer No. _____ in the name of _____."
 2. Show the name of the protestant. Only one (1) protestant may be shown per protest form. If this protest form is signed by more than one person, the hearing officer will consider the first signer as the official protestant and the representative for service of documents.
 3. If the protestant is represented by an attorney or other authorized representative, show the representative's name. The department then will serve documents on the representative and upon the protestant if specifically requested.
 4. Show the address where the department is to serve the documents. This should be the address of the authorized representative unless the protestant does not designate a representative.
 5. Show the telephone number of the authorized representative unless the protestant does not designate a service representative.
 6. Specifically describe the nature of the protest.
 7. Describe the relief being sought by the protestant.
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FOR DEPARTMENT USE ONLY

Received by CH Date 1/21/03 Time _____
\$25.00 fee Received by CH # 8025454 Date 1/21/03