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APR 25 2011

Department of Water Resources
Eastern Region

John Schwarz, sui juris
c/o Box 240
McCammon, Idaho [83250]
208.254.3634

April 20, A.D. 2011

MICHAEL C. CREAMER
C/o GIVENS PURSLEY LLP
LAW OFFICES
601 W. Bannock St.
Boise, ID 83701

RE: MICHEL C. CREAMER, letter to ADVISE "Re: City of Pocatello
Transfer No. 76779", Dated 4/13/2011

Dear Mr. CREAMER,

I, the Protestant in this matter, John Schwarz (John, or Protestant), Sui juris, *takes offence* to your threatening letter of intimidation, *NOTICE and* demand for compliance, with *ADVICE*. That is an impressive number of associates and retired associates, listed at the upper right hand margin. Had you been more civil and/or tact-full, and treated the Protestant with respect, I may have given more thought to responding in a positive manner.

Protestant is offended to being addressed as "Mr.", as you failed to define Mr., this Protestant wishes to be addressed by his given name "John", and can only surmise what your intended meaning of Mr. is, could it not implied as meaning a title of Office.

On January 6, 2011 I, and all others, received a *NOTICE OF PRE-HEARING CONFERENCE* from IDWR, which stated in the included *PRE-HEARING CONFERENCE AND/OR HEARING PROCEDURE APPLICATION FOR TRANSFER*. This Protestant will comply with this Notice, Order and rule.

Protestant *OBJECTS*, to being told, by you, to respond to the Order dated April 8, 2011, issued by Idaho Department of Water Resources (IDWR), just because you opine the *Response and Answer* seem similar. The April 8th Order clearly exceeds the parameters of the original Order issued on February 8, 2011. The new Order states that, "The Interrogatories could be easily rewritten ...". Protestant opines that, to a sentient living human being, using common sense, the Interrogatories were not written in such a way as could be perceived as anything other than Interrogatories with subparts. Therefore Protestant cordially declines your offer to do your work for you, as the Protestant does not have a large research staff, tens of thousands of dollars worth of manpower and equipment, training in LAW; and/or the will to use his time to waste on research for you, your firm and/or your Client; and which would place an undue hardship upon this Protestant. Therefore, This Protestant stands by the original Response given on April 4, 2011.

MICHEL C.CREAMER

April 20, A.D. 2011

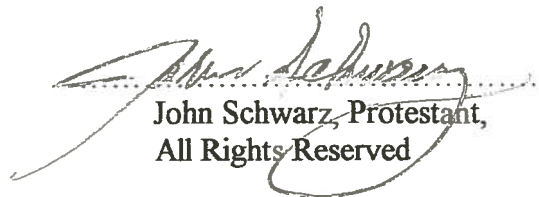
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Protestant does agree to stick to the material facts listed on the *Notice of Protest, and Response and Answers*. Supporting those facts with current Public Documents and/or information found on the Web. These documents, letters, findings of fact, studies done by Universities; the STATE OF IDAHO Constitution; BANNOCK COUNTY'S Comprehensive Plan; various Idaho Department records; and/or others are all there for you and your Client to use. LAWS, Statutes and Codes are undiscoverable to this Protestant, and of little import in this common law venue.

In my sui juris, sentient, common sense, opinion you are attempting to exceeded your, and/or your Clients authority, when you stated - "I am taking this opportunity to advise you that the City expects that you will also comply with the Order..." (emphasis added). In a common law venue, in my opinion, a Lawyer/Attorney should not be allowed, except as council and when they are allowed, they tend to start arguments, this Protestant does/will not argue. This Protestant does not remember asking you, your firm and/or your Client for any advisements. Doing so, in my opinion, would be taking your *LEGAL ADVICE*, which is not the intention of this Protestant. Also, in this Protestant's opinion, the IDWR is putting undue burden upon the People of Bannock County; and the Protestants (which the Department is sworn to protect) with limited resources, by allowing the broad scope of Idaho Rules of Civil Procedure into Discovery, thereby giving an unfair advantage to the Applicant..

You will also consider this letter, to you and your Client, a recommendation to withdraw your Application for Transfer No. 76779. As your letter, dated "April 13, 2011" contends that the Transfer has already occurred, "Re: City of Pocatello Transfer No. 76779" (emphasis added). Has the City been granted the Transfer? This Protestant does not have that knowledge. As you know words (black on white) mean what they say, this Protestant is of the opinion that this matter is the *Application for Transfer No. 76779*.

Cordially yours,


John Schwarz, Protestant,
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Cc: IDWR Hearing Officer, and others