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Attorneys for Protestants
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Department of Water Resources
Bureau of Reclamation

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF)
TRANSFER NO. 5090)
Applicant: A.W. &/or S.J. Anderson)
)
)
)
)
_____)

NOTICE OF PROTEST

* * * * *

George A. and Gwen Montgomery, by and through their attorneys, Rosholt, Robertson & Tucker, file their Notice of Protest to the continuance or approval of Application for Transfer No. 5090 filed in the name of A.W. &/or S.J. Anderson. The basis for the protest is as follows:

1. The proposed change described in the aforesaid application violates all, or a portion of, the criteria set forth in Idaho Code § 42-222(1);
2. The Protestants are the owners of water rights in Lake Cleveland and the Applicant is not the owner of the entirety of the water rights sought to be transferred; and
3. For such other and further reasons as may be set forth at the hearing on this matter.

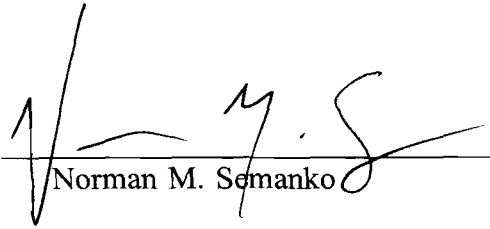
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DATED this 2nd day of July, 1997.

ROSHOLT, ROBERTSON & TUCKER

By:

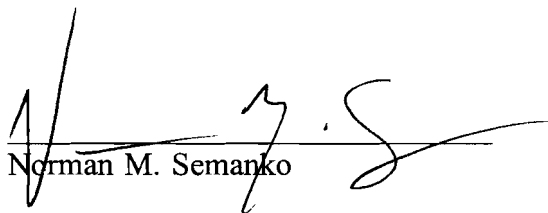

Norman M. Semanko

CERTIFICATE OF MAILING

I hereby certify that on this 2nd day of July, 1997, I served a copy of the foregoing
NOTICE OF PROTEST, by depositing same in the United States mail, postage prepaid, in an
envelope, addressed to the following:

A.W. &/or S.J. Anderson
HC 36
Box 14
Albion, ID 83311

R. C. Stone
Parson, Smith, Stone & Fletcher
137 West 13th Street
Burley, ID 83318


Norman M. Semanko