

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 09 2003

Department of Water Resources
Eastern Region

NOTICE OF PROTEST

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 Application #70645 Downata Ranch & Recreation Co. 2105 Coronado St. Idaho Falls, Idaho 83406
2. Name of protestant Egan Ranch LLC 1451 W. Hawkins Rd. Arimo, Idaho 83214
William A. Egan Managing Member
3. Protestant's Representative for service (If different than protestant)

4. Service mailing address 1451 W. Hawkins Rd, Arimo, Idaho 83214
5. Service telephone no. 208-897-5521

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

Marsh Creek is critical for those of us down stream. Any addition pumping above us would be very detrimental. Dry years have reduced the flow to the point that it is barely adequate to provide for existing needs.

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

7. What would resolve your protest? I would recommend the above application be turned down as additional pumping would cause loss of stream flow below the proposed pumping station. The effects of loss of flow would be very serious to those of us below.

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 6th day of Sept, 2003.

William A. Egan

Protestant

Protestant's Representative

Petition to INTERVENE
Protest Final Date 9/8/03
RECEIVED 9/9/03 @ 10:45 A.M.

E029175

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 9/9/03 SC Date 9/9/03 Time 11:00 AM
\$25.00 fee Received by SC # E029175 Date 9/9/03