

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Receipt #
NO 20712
RECEIVED

MAY 26 2009

IDWR / NORTH

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, and 42-222, 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 95-10382 - Spencer
2. Name of protestant Bob Prince
3. Protestant's Representative for service (If different than protestant)
Tom Lloyd
4. Service mailing address 34250 East Cape Horn Circle, Bayview, Idaho 83803
5. Service telephone no. 683-1680 Email Address: twlloyd@roadrunner.com
6. Basis of protest (including statement of facts and law upon which the protest is based)

Conflict with local public interest:

On May 12, 2009, the Bayview Chamber of Commerce formed a committee to develop information on costs and benefits of restoring Bayview Creek, including feasibility of reestablishing a run of native cutthroat trout from Lake Pend Oreille. The applicants oppose stream restoration and recovering the fish run (Pamela Spencer memo attached). If a water right is granted in this case, it could preclude full examination and community decisions regarding restoration options. This possibility, and the protest deadline of May 26, 2009, necessitate this filing. Protest is filed to buy time for the community to develop information and decide what is in the public interest in these matters as they relate to beneficial use, the local economy, recreation, fish and wildlife, and a collective vision for the area.

7. What would resolve your protest?

Withdrawal, delay, or denial of application, use of municipal water source(s) for lawn and garden

I hereby acknowledge that if I, or my designated representative, fail 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 26th day of May, 2009

Protestant

Protestant's Representative

Pres. Chamber of Commerce
Bayview, ID