

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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.

Matter being protested: Creekside Meadows LLC transfer Number 74812

Name of protestant: Fremont-Madison Irrigation District

1. Protestant's Representative for service (If different than protestant) Rigby Law Firm, Jerry Rigby

2. Service mailing address: P.O. Box 15 St. Anthony, ID 83445

3. Service telephone no. 208-624-3381 Email Address: fmid@fretel.com

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

Approval of this transfer will injure senior water rights and impact the fill of Island Park Reservoir storage rights.

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

5. What would resolve your protest? Proof that this transfer will not injure Fremont-Madison Irrigation spaceholders and impact the fill of Island Park Reservoir storage .

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 6 day of February, 2009.

Protestant: Fremont-Madison Irrigation District

Dale R. Swensen
Protestant's Representative

RECEIVED
FEB 09 2009

Department of Water Resources
Eastern Region

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.

Receipt
#E034792