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NOV 17 1999

Department of Water Resources
Southern Region

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ISB # 4761
Attorneys for Protestant: Earl L. Warthen
nms.99\protest\ warthen

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF)
APPLICATION FOR PERMIT)
NUMBER 45-07745;) NOTICE OF PROTEST
APPLICANT:)
USDA-FOREST SERVICE)
_____)

EARL L. WARTHEN, (hereinafter the "Protestant"), by and through his attorneys,
Rosholt, Robertson & Tucker, files his Notice of Protest to the approval of the above-numbered
Application for Permit filed by the USDA-Forest Service. The basis for the Protestant's protest is
as follows:

1. The proposed diversion and use is prohibited by the current moratorium on new appropriations;
2. The proposed diversion and use of the waters described in the aforesaid

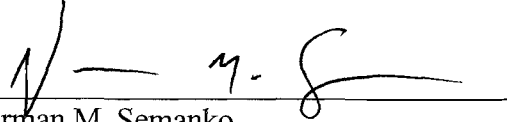
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2 application violates all or portions of the criteria set forth in Idaho Code Sections 42-203A(5); and

3 3. For such other and further reasons as may be set forth at the hearing on this matter.

4 DATED this 16 day of November, 1999.

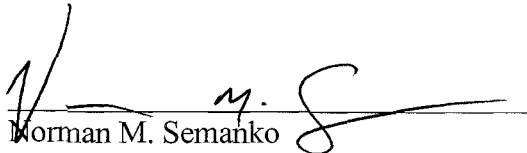
5 ROSHOLT, ROBERTSON & TUCKER

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7
8 By: 
9 Norman M. Semanko

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11 CERTIFICATE OF MAILING

12 I hereby certify that on this 17th day of November, 1999, I served a copy of the
13 foregoing NOTICE OF PROTEST, by depositing same in the United States mail, postage prepaid,
14 in an envelope, addressed to the following:
15

16 USDA-FOREST SERVICE
17 380 EAST PARKCENTER, SUITE 330
18 BOISE, ID 83706

19
20 
21 Norman M. Semanko
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