

November 26, 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 04 2005

Department of Water Resources
Eastern Region

NOTICE OF PROTEST

Petition To Intervene

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 Amendment to Permit #'s 75-7589/75-7052
2. Name of protestant Christine Smith
3. Protestant's Representative for service (If different than protestant)

4. Service mailing address P.O. Box 1088; Beaver, UT 84713
5. Service telephone no. 435-438-6007
6. Basis of protest (including statement of facts and law upon which the protest is based)

see attachment

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

7. What would resolve your protest? The water district could
reimburse us for lost production. The
average rate is 4 cents per kwh.

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 31 day of October, ~~2000~~ 2005

Christine Smith
Protestant

Protestant's Representative

Receipt
#ED31429

Receipt
#ED31424

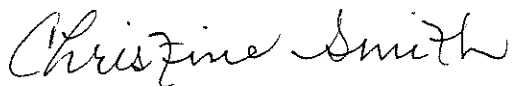
October 31, 2005
Christine Smith
P.O. Box 1088
Beaver, UT 84713
435-438-6007 Office
435-438-6041 Home
435-438-421 Cell
chiropractor@scinternet.net

Dear Department of Water Resources:

I have a water right 75-07427 for 6.0 CFS, from Lake Creek and affiliated springs, but a mile downstream from where the permit holders 75-7589 and 75-7052 are taking water. I use the water for the production of hydroelectric power, which I sell under contract to Idaho Power. William's Lake residents' original rights are from Williams Lake water. My objections are:

- A) Historically, peak production for us has been Apr through Sep. Since the Williams Lake District changed their diversion to the springs, we have never had the 6.0 cfs we have a right to. We have suffered economically from the loss of production when Williams Lake District began pumping their water from our source.
- B) The source of the springs is debatable. I have heard from Mel Reingold and BLM and Fish & Game employees that the springs originate from a mountaintop nine miles NW of the springs. The burden of proof is on the Williams' Lake Water District to prove they are taking water from the source of their original rights.

Thank you for your consideration,

A handwritten signature in cursive script that reads "Christine Smith".

Christine Smith