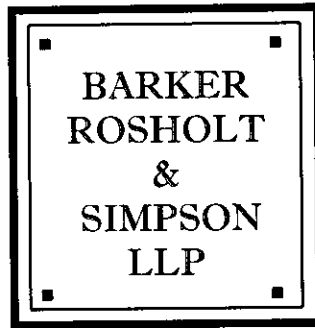


*John A. Rosholt
Albert P. Barker
John K. Simpson
Amy D. Chestnut
Travis L. Thompson*



June 10, 2004

Povey
RECEIVED
JUN 14 2004
205 North 10th Street, Ste. 520
Post Office Box 2139
Boise, ID 83726-1399
(208) 336-0700 telephone
(208) 344-6034 facsimile
brs@idahowaters.com

233 Second Street North, Suite D
Twin Falls, ID 83301
(208) 733-0700 telephone
(208) 735-2444 facsimile

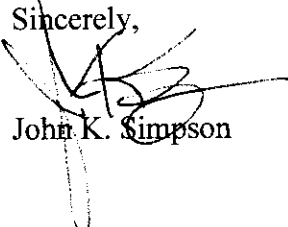
Gary Spackman
Idaho Department of Water Resources
1301 N. Orchard
Boise, Idaho 83706

Re: Application for Transfer No. 70663 (Andrew Povey)

Dear Mr. Spackman:

Enclosed is a copy of the certificate of service noting that the applicant, Andrew Povey, has been served with discovery requests. Although there is no order authorizing discovery as well as no deadlines being set for exchange of exhibits or disclosure of witnesses, the applicant also served the protestants and intervenors with discovery requests. In an attempt to prepare for the hearing scheduled for July 1, the protestants have served discovery as well.

Sincerely,


John K. Simpson

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10th day of June, 2004, I served a true and correct copy of the foregoing document, *Protestants' First Requests for Admissions, Interrogatories, and Request for Production to Applicant Andrew Povey*, by facsimile to the following attorney of record for the Applicant and by mail, postage prepaid, to the remaining parties, addressed as follows:

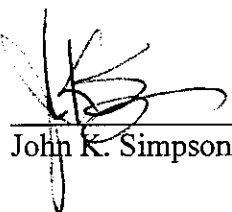
Randall C. Budge
Racine, Olson, Nye, Budge & Bailey, Chartered
201 E. Center Street
Pocatello, Idaho 83204
(208) 232-6109 (facsimile)

Roger Ling
PO Box 396
Rupert, Idaho 83350

Bureau of Reclamation
Gail McGarry
1150 N. Curtis Road, Ste 100
Boise, Idaho 83706-1234

Copy of Certificate of Service to:

Gary Spackman
Idaho Department of Water Resources
1301 N. Orchard
Boise, Idaho 83706



John K. Simpson