

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF PROTEST

RECEIVED
JUN 17 2002
Department of Water Resources

This form may be used to file a protest with the department under section 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 all the necessary information.

1. Matter being protested Application for Transfer No. 69903 in the name of New Sweden Irrigation District, 2350 W 17th S Idaho Falls ID 83402

2. Name of Protestant United States Department of Interior Bureau of Reclamation

3. Protestant's representative for service (if different than Protestant)
E. Gail McGarry, Manager Water Rights and Acquisition, Pacific Northwest Regional Office, Bureau of Reclamation; Kathleen Marion Carr, Attorney, U.S. Department of the Interior, Office of the Field Solicitor

4. Service mailing address
E. Gail McGarry, PN-3100, Bureau of Reclamation, 1150 North Curtis Road, Suite 100, Boise Idaho 83706, Kathleen Marion Carr, U.S. Department of the Interior, Office of the Field Solicitor, 550 West Fort Street, MSC-020, Boise, ID 83724

5. Service telephone number E. Gail McGarry (208) 378-5306; Kathleen Carr (208) 334-1911

6. Basis of protest (including statement of facts and law upon which the protest is based)
Injury to Reclamation project water rights.

7. What would resolve your protest?
1-2064L, 1-2068M, and 1-10043E are unadjudicated claims in the Snake River Basin Adjudication (SRBA) related to claims of the United States, Bureau of Reclamation (Reclamation) and based on contracts with Reclamation. Reclamation may not oppose these transfers if consistent with the terms of the Federal contract and the contemplated operations of the Federal contract, if a stipulation is filed with the transfer stating the United States does not recognize these claims as valid water rights and reserves the right to object to these claims in the SRBA, if necessary, to protect water rights of Reclamation.

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.

RECEIVED
JUN 20 2002
Department of Water Resources
Eastern Region

Signed this 17th day of June, 2001.

United States
PROTESTANT

E. Gail McGarry
PROTESTANT'S REPRESENTATIVE

Wpt # C 06 2754 --- \$25.00 --- 6.17.02 --- P. McGarry

69953

Certificate of Service

The undersigned does hereby certify that on this 17 day of June, 2002, he or she caused a true and correct copy of the within and foregoing document to be transmitted by U.S. mail to the following:

New Sweden Irrigation District
2350 W. 17th St
Idaho Falls, ID 83402

and hand delivered to the Idaho Department of Water Resources.

Ed J. McGee