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WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WITHDRAWAL OF PROTEST

Application for ☐ Transfer ☒ Permit ☐ Amendment of Permit No. 2-10573

In the Name of Michael and Mary Beth Fautt
Applicant

Name of Protestant: Wilder Irrigation District

Represented by: Barker, Rosholt & Simpson LLP - Albert P. Barker

I hereby withdraw my protest to the above referenced matter. All of my issues of protest have been addressed and/or resolved.

☐ My withdrawal is not conditional.

Or

☒ My withdrawal is conditioned on the following:

Any Permit issued from the Application contain the following condition:

The primary irrigation water for the place of use authorized under this right is surface water delivered by Wilder Irrigation District. The right holder shall make full beneficial use of said primary surface water rights available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert water under this right to irrigate land with appurtenant primary surface water rights when the primary surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company deliveries. The right holder shall not divert water for irrigation purposes under this right if use of the primary surface water rights is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code §42-222 or other Department approval.


Signature of Protestant or Representative

Attorney
Title

5-8-2019
Date



**Barker Rosholt
& Simpson LLP**

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**WATER RESOURCES
WESTERN REGION**

May 8, 2019

Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

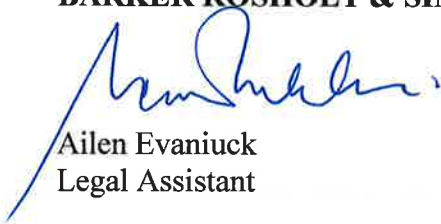
Re: Withdrawal of Protest for Water Right Permit No. 2-10573 in the name of
Michael and Mary Beth Fautt

Dear Clerk,

Enclosed is an original signed Withdrawal of Protest regarding the above-matter for filing. Please return the copy with your file or received stamp in the enclosed envelope for our records. Thank you for your assistance.

Sincerely,

BARKER ROSHOLT & SIMPSON LLP


Ailen Evaniuck
Legal Assistant

Enc. a/s