

HOFSTETTER LAW OFFICE

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Dana L. Hofstetter
Attorney at Law

August 17, 2015

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AUG 19 2015

WATER RESOURCES
WESTERN REGION

Telephone: (208) 424-7800
Facsimile: (208) 424-8774

Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098

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AUG 18 2015

DEPARTMENT OF
WATER RESOURCES

Re: In the Matter of Application for Permit No. 63-33746; and
In the Matter of Application for Permit No. 63-33673

Dear Sir/Madam:

Enclosed are two (2) originals and two (2) copies of the following document filed today by facsimile in the above-referenced matters:

Stipulation for Withdrawal of Protests

Please file the two (2) enclosed originals in the above-referenced files and conform the two (2) copies and return the two (2) conformed copies to me in the enclosed addressed and stamped envelope. Please contact me if you have any questions about this matter. Thank you for your assistance with this matter.

Sincerely,

HOFSTETTER LAW OFFICE, L.L.C.



Dana L. Hofstetter

Enclosures

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AUG 18 2015

DEPARTMENT OF
WATER RESOURCES

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Attorneys for the City of Greenleaf

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

**IN THE MATTER OF APPLICATION)
FOR PERMIT TO APPROPRIATE) STIPULATION FOR
WATER NO. 63-33746 IN THE) WITHDRAWAL OF PROTESTS
NAME OF THE CITY OF GREENLEAF)
AND IN THE MATTER OF APPLICATION)
FOR PERMIT TO APPROPRIATE)
WATER NO. 63-33673 IN THE NAME OF)
ENERGY RESROUCE GROUP LLC)**

WHEREAS, the City of Greenleaf ("Greenleaf") filed Application for Permit No. 63-33746 with the Idaho Department of Water Resources ("IDWR") to appropriate water from the West End Drain for water quality improvement.

WHEREAS, on or about September 23, 2015, Energy Resource Group LLC and G.O. Investments Idaho, LLC (collectively "ERG") filed with IDWR Notices of Protest to the approval of Permit No. 63-33746.

WHEREAS, Energy Resource Group, LLC filed Application for Permit No. 63-33673 with IDWR to appropriate water from Dixie Slough for water quality improvement and other purposes.

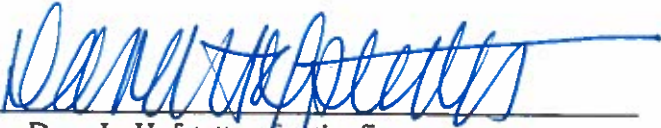
WHEREAS, on or about, July 30, 2015 Greenleaf filed with IDWR a Notice of Protest to the approval of Permit No. 63-33673.

WHEREAS, Greenleaf and ERG desire to resolve their respective Protests in the above-captioned pending matters by mutually withdrawing them and not prosecuting them.

NOW, THEREFORE, the City of Greenleaf, Energy Resource Group LLC and G.O. Investments Idaho, LLC, by and through their respective attorneys of record, hereby stipulate and agree that Greenleaf will withdraw and not prosecute its Protest in the Matter of Application for Permit No. 63-33673 and ERG will withdraw and not prosecute their Protests in the Matter of Application for Permit No. 63-33746, both currently pending before IDWR, and shall not file or otherwise re-instate any Protests in such matters unless any such applications are materially amended after the date of this Stipulation. Greenleaf does hereby withdraw its Protest in the Matter of Application for Permit No. 63-33673 and ERG does hereby withdraw its Protests in the Matter of Application for Permit No. 63-33746. Greenleaf and ERG also do hereby agree to cooperate and undertake forthwith whatever further actions are necessary, if any, to withdraw and relinquish their respective pending Protests in said matters.


DATED this 17th day of August, 2015.

HOFSTETTER LAW OFFICE, LLC

By 
Dana L. Hofstetter, for the firm
Attorney for Energy Resource Group LLC and
G.O. Investments, LLC

DATED this 14th day of August, 2015.

MOORE SMITH BUXTON AND TURCKE,
CHARTERED

By 
for Susan Buxton, for the firm
Attorney for the City of Greenleaf

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 17th day of August, 2015, I caused a true copy of the foregoing document to be served by the pre-paid method(s) indicated on the following:

Original to:

Gary Spackman, Director
Idaho Department of Water Resources
The Idaho Water Center
322 East Front Street
Boise, Idaho 83702

U.S. Mail FedEx Hand Fax

Copies to:

Regional Manager, Western Region
Idaho Department of Water Resources
2735 Airport Way
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DANA L. HOFSTETTER