

J. R. Simplot Company
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Boise, Idaho 83702
or
Post Office Box 27
Boise, Idaho 83707

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WATER RESOURCES
WESTERN REGION

BEFORE THE
DEPARTMENT OF WATER RESOURCES
STATE OF IDAHO

IN THE MATTER OF THE APPLICATION)
OF CRANE CREEK COUNTRY CLUB, INC.)
TO APPROPRIATE THE PUBLIC WATERS)
OF THE STATE OF IDAHO, NO. 63-12596)

**WITHDRAWAL OF PROTEST
AND
AGREEMENT OF CONDITIONS**

The J. R. Simplot Company ("Protestant") filed a protest to the above referenced application by Crane Creek Country Club, Inc. ("Applicant") on October 10, 2000. The Applicant agrees to abide by the following conditions which shall be made a part of the approval of the above referenced application. Accordingly, the Protestant agrees to withdraw their protest to the approval of this application provided the following conditions exist:

1. The rate at which water is diverted under Application No. 63-12596 at any given time from the Applicant's "Club House Well," located within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26 T.4N R.2E B.M., shall not exceed 1.84 c.f.s.
2. The rate at which water is diverted at any given time under Application No. 63-12596 from any new points of diversion when combined with the diversion rate from the Clubhouse Well shall not exceed 1.84 c.f.s.

Protestant

J. R. Simplot Company
By: *Ronald N. Graves*
Ronald N. Graves
Vice President, Secretary and
General Counsel

Applicant

Crane Creek Country Club, Inc.
By: *Charles R. Schmitz*
Its: President

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JAN 31 2001