

copy

McKenzie & McKenzie, P.A.

Attorneys and Counselors At Law

Jay R. McKenzie

Adam J. McKenzie †

January 26, 2010

Klain T. Christensen
963 W. Glover Road
Arimo, ID 83214

RE: *In The Matter Of Application For Transfer No. 75647 In The Name Of Klain Christensen*

Dear Mr. Christensen:

Please be advised that I represent Garden Creek Irrigation Co. ("Garden Creek"), as well as the following shareholders (or their proxies) of Garden Creek, and/or protestants *In The Matter Of Application For Transfer No. 75647 In The Name Of Klain Christensen*, before the Idaho Department of Water Resources:

Dennis and Yvonne Toney
Leland Armstrong
Reed Capell
Brian Capell
Cecil Armstrong
Calvin Monson
Grant Olson
Cornell Smith

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FEB 01 2010

Department of Water Resources
Eastern Region

I have filed my *Notice Of Appearance* in the matter, and enclose a copy herewith.

On behalf of Garden Creek and the shareholders, we request that you submit to me proof that your shares of water stock in Garden Creek have been included in the Snake River Adjudication. Kindly submit that information to me at your earliest convenience.

As the attorney for Garden Creek, and the above-named individuals, and at their specific request, I hereby direct you to have no further contact with Garden Creek shareholders or officers, or the individuals named above, except through my office. You are instructed that "no contact" from you, includes no contact from your family members, proxies, agents, friends, or other associates. It encompasses no contact personally, by mail, or by telephone. Further, there must be no such entry upon their property, nor must there be any approach of or to them in public places. Violation of this "no contact" direction will be considered trespass, violation of which

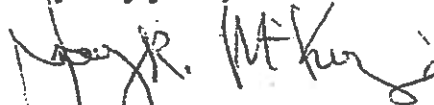
Klain Christensen
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could subject you and/or those who act through or for you, to civil and/or criminal penalties. These people have the right to not have contact with you, and we strictly admonish you to honor their request and demand that you do not do so.

If you have any questions, or if you have any information for Garden Creek or the above-named individuals, you may communicate directly with me.

Kindly govern yourself accordingly.

Very truly yours,



Jay R. McKenzie
Attorney at Law

JRM:bj

cc. Sheriff Lorin Nielsen
Quail Creek Assisted Living Center
Garden Creek Irrigation Co.
Calvin Monson
Cornell Smith
Brian Capell
Cecil Armstrong
Dennis and Yvonne Toney
Leland Armstrong
Reed Capell
Grant Olson

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BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

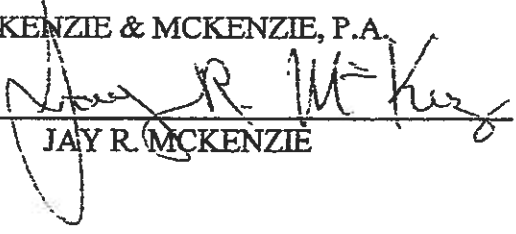
IN THE MATTER OF APPLICATION FOR)
TRANSFER NO. 75647 IN THE NAME OF)
KLAIN CHRISTENSEN)

NOTICE OF APPEARANCE

COMES NOW, JAY R. MCKENZIE of the firm of MCKENZIE & MCKENZIE, P.A., and
hereby gives Notice of Appearance on behalf of Garden Creek Irrigation Co., Dennis and Yvonne
Toney, Ingrid and Maurice Toler, Leland Armstrong, Reed Capell, Cecil Armstrong, Calvin Monson
and Grant Olson, in said cause and controversy, and requests that all documents and pleadings filed
in the Department of Water Resources file be duly and regularly served upon him at 102 North State
Street - Suite 1, Preston, Idaho 83263.

DATED this 26th day of January, 2010.

MCKENZIE & MCKENZIE, P.A.

By: 

JAY R. MCKENZIE