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DEPARTMENT OF
WATER RESOURCES

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WATER RESOURCES
WESTERN REGION

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Attorneys for Protestants Half Moon Ranch
and Barber-Caven Ranches

BEFORE THE DEPARTMENT OF WATER RESOURCES OF
THE STATE OF IDAHO

_____)
IN THE MATTER OF APPLICATION FOR)
TRANSFER NO. 75265 IN THE NAME OF) PROTEST
ARK PROPERTIES, LLC)
_____)

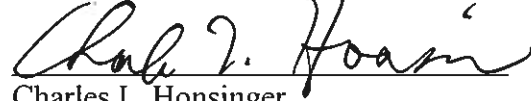
COMES NOW, the Protestants, Half Moon Ranch, LLC and Barber-Caven Ranches by and through their counsel Ringert Law, Chartered and, in conformance with and pursuant to I.C. §42-222 and IDAPA 37.01.01.250, hereby protest Application for Transfer No. 75265 filed by Ark Properties, LLC.

The basis for this protest is that the Protestants own water rights that are diverted from Cold Springs Creek downstream from the applicant's points of diversion. Protestants are concerned that the proposed transfer does not comply with the requirements of I.C. §42-222 in that it may: (1) result in injury to existing water rights, including those held by Protestants; (2) result in an enlargement in the use of existing water rights; (3) conflict with the local public interest as defined in Idaho Code Section 42-202B; and (4) be contrary to the conservation of

water resources within the state of Idaho. Protestants propose that, should IDWR and/or the parties determine that all or any portion of the transfer proposed pursuant to the above-captioned application be limited or denied to meet the requirements of I.C. §42-222, such limitations be imposed and/or such denial be issued.

Dated this 21st day of January, 2010.

RINGERT LAW, CHARTERED



Charles L. Honsinger

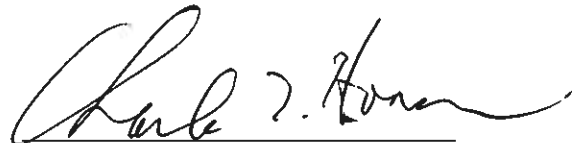
Attorneys for Protestants

CERTIFICATE OF SERVICE

The undersigned does hereby certify that on January 19, 2010, he caused a true and correct copy of the within and foregoing document to be transmitted by U.S. mail to the following

Ark Properties, LLC
11204 N. Bar 21 Dr.
Glenns Ferry, ID 83623

Lori Graves
SPF Water Engineering LLC
300 E. Mallard, Sute 350
Boise, ID 83706



Charles L. Honsinger

PROTEST TO APPLICATION FOR TRANSFER NO. 75265 IN THE NAME OF ARK
PROPERTIES, LLC - Page 2

#25- paid 1/21/2010 # C089931 (by s.o.)