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DEPT. OF WATER RESOURCES
SOUTHERN REGION

HOBDEY LAW OFFICE, PLLC
125 Fifth Avenue West
P.O. Box 176
Gooding, Idaho 83330-0176

Craig D. Hobdey
(208) 934-4429

Facsimile
(208) 934-4420

September 12, 2008

Gary Spackman
IDWR
PO Box 83720
Boise ID 83720-0098

Re: Dry Lot Application for Permit 37-22252 and Transfer No. 74449

Dear Mr. Spackman:

Enclosed please find original Notice of Withdrawal of Protests filed by Big Wood Canal Company in the above matters. Dry Lot and Big Wood Canal Company have entered into a Water Rights Use Agreement in order to resolve the Protest. I enclose a copy of the Water Right Use Agreement. Based upon the agreement, and our subsequent withdrawal, we will no longer be a party to the Protest in this matter.

Thanking you in advance for your continued cooperation and assistance.

Sincerely,

Craig Hobdey

Craig D. Hobdey

CDH:dm
Enclosure
c: Travis Thompson w/o encl
Allen Merritt w/o encl
Dana Hostetter w/o encl

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Attorneys for Protestant, Big Wood Canal Company

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT NO. 37-22252 (In the name of Dry Lot, LLC).	)))))	**NOTICE OF WITHDRAWAL OF PROTEST**

BIG WOOD CANAL COMPANY (hereinafter Protestant), by and through its attorney of record, hereby files this NOTICE OF WITHDRAWAL OF PROTEST to the above number application for permit filed by DRY LOT, LLC (Applicant). This Withdrawal of Protest is conditioned upon and pursuant to a Water Use Agreement entered into between BIG WOOD CANAL COMPANY and DRY LOT, LLC, dated on or about September 3, 2008. The terms and conditions of such Water Right Use Agreement shall become a part of the permit issued by the Department of Water Resources.

DATED THIS 12 day of September, 2008.

Craig Hobdey

Craig D. Hobdey
Attorney for Big Wood Canal Company

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 12 day of September, 2008, I served a true and correct copy of the foregoing NOTICE OF WITHDRAWAL OF PROTEST (37-22252) by U.S. Mail and addressed to the following:

Travis Thompson
Barker Rosholt & Simpson LLP
PO Box 485
Twin Falls ID 83303

Dana Hofstetter
608 West Franklin Street
Boise ID 83702

Craig Hobdey

Craig D. Hobdey