



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

March 27, 2003

Allen Merritt
Idaho Department of Water Resources
Southern Region Office
1341 Fillmore, Suite 200
Twin Falls, ID 83301

Re: Clear Springs Foods, Inc.
Ground Water Permit Application with Transfer & Mitigation Plan.

Dear Allen:

Enclosed is the application package designed to secure a ground water supply in lieu of a fraction of their spring water right for drinking and processing at Clear Springs Foods, Inc. The package consists of the application for permit to appropriate the ground water, application for transfer of 2 cfs from water right 36-7201, and our mitigation plan and pertinent findings from the hydrogeology study we conducted.

It is my hope that the drawings and calculations included with the permit and mitigation transfer will adequately demonstrate no injury to other water users. By continuing discharge release as has been done historically, the issue of injury and/or enlargement will be nullified.

As you are aware, the test well to determine hydrologic effects of the proposed water supply is tentatively scheduled to be drilled and tested in April – May 2003. Please process the applications contained within and if you have any questions or concerns don't hesitate to contact me.

Sincerely,

Jason C. Helms, EIT

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

Attachment: Application for Permit (to appropriate water)
Application for Transfer of water right # 36-7201
Mitigation Plan
Check No. 4247 for \$580.⁰⁰ to cover fees.

T70606

RECEIVED

MAR 28 2003

Department of Water Resources
Southern Region

RECEIVED

APR - 9 2003

Department of Water Resources
Southern Region

SCANNED

APR 25 2003

APR 25

SCANNED

APR 03 2003

APR 03

T70606

LIMITED POWER OF ATTORNEY

KNOWN ALL MEN BY THESE PRESENT:

I, Larry Cope, President of Clear Springs Foods, hereby nominate and appoint Brockway Engineering, PLLC as my attorney-in-fact with full authority to act for and on my behalf to undertake any and all acts or matters pertaining to water right transfers before the Idaho Department of Water Resources for the following water right transactions:

Permit application and concurrent transfer application for water right 36-7201

In Gooding County, Idaho. Additionally, I hereby ratify and confirm any and all such acts on matters as contemplated herein.

My agent is hereby authorized to sign, seal and deliver, as my act in deed, those said instruments of writing that may be necessary or proper to carry into execution and effect the applications, and transfers above-mentioned. Further, I hereby declare that each and every application, transfer, agreement, receipt, or payment which shall be by my said agent given, made or done for the aforesaid purposes shall be as good, valid, and effectual as if they had been signed, sealed, and delivered by me in my own proper person; and I hereby undertake at all times to ratify whatsoever my said agent shall lawfully do or cause to be done in or concerning the said premises by virtue of these present. This Limited Power of Attorney will become void upon approval, denial or withdrawal of the above referenced applications.

Dated this 07 day of April, 2003

Larry W. Cope, President & CEO
Signature

Signature

State of Idaho)

County of Twin Falls)

ss.

On this 7th Day of APRIL, 2003, before me, a Notary Public in and for said County and State, personally appeared LARRY W COPE, known or identified to me to be the individual whose name and subscription to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

[Signature]
Notary Public
In and for said State and County

12-23-03
My Commission Expires

SCANNED

JUL 03 2003

APR 07 2003

APR 07 2003