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October 4, 2005

VIA FACSIMILE ONLY: 208-525-7177

W. Roger Warner
State of Idaho
Department of Water Resources
900 N. Skyline Drive, Suite A
Idaho Falls, Idaho 83402

RE: Mickelsen Properties Transfer 71254
Protest of Big Lost River Irrigation District

Dear Mr. Warner:

Thank you for your letter of October 3, 2005. Following the hearing in this matter documents were exchanged between the Big Lost River Irrigation District and Kent Foster on behalf of the Applicant. After a review of the various documents and clarification of confusion resulting from changes in water right numbers, it appears that the Big Lost River Irrigation District does have transportation agreements in place for the water rights that are at issue.

As a result, the Board of Directors of the Big Lost River Irrigation District has authorized me to withdraw the protest of the Big Lost River Irrigation District. You may deem this letter a withdrawal of that protest.

If you have any questions about this, please contact me.

Sincerely,

FLETCHER LAW OFFICE

Kent Fletcher

KF/kjh
pc: BLRID - by fax
Kent Foster - by fax
Mr. Lawrence Babcock

Received Time Oct. 4. 2:22PM