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DEPT. OF WATER RESOURCES
SOUTHERN REGION

Attorneys for Clear Springs Foods, Inc.

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 36-16406)
(in the name of NORTH RIM FAIRWAYS)
ASSN.))
_____)

NOTICE OF PROTEST

CLEAR SPRINGS FOODS, INC. (hereinafter "Clear Springs"), by and through their attorneys of record, BARKER ROSHOLT & SIMPSON LLP, hereby file this *Notice of Protest* to the approval of the above-numbered application for permit filed by North Rim Fairways Association ("Applicant"). The initial basis for Clear Springs' protest is as follows:

1. The application will result in injury to Clear Springs in that depletion will occur to the springs that supply Clear Springs' water rights; and
2. The Applicant has failed to provide sufficient evidence to demonstrate that the application is exempt from the *Amended Moratorium Order, In the Matter of Applications for Permit for the Diversion and Use of Surface and Ground Water within the Eastern Snake River*

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Plain Area and Boise River Drainage Area (April 30, 1993)("Moratorium Order") and has not provided a mitigation plan in the alternative; and

3. The application does not meet the definition of "domestic" purpose or use as set forth in I.C. § 42-111 as it admittedly seeks the irrigation of 34 acres; and

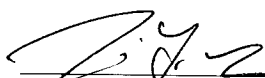
4. The application violates I.C. § 67-6537; and

3. The application violates the criteria of I.C. § 42-203A(5); and

4. For such other and further reasons as may be discovered or set forth at the hearing on this matter.

DATED this 22nd day of May 2006.

BARKER ROSHOLT & SIMPSON LLP

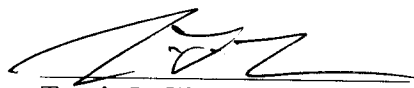

Travis L. Thompson

Attorneys for Clear Springs Foods, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of May, 2006, I served a true and correct copy of the foregoing *Notice of Protest*, by depositing same in the United States mail, postage prepaid, addressed to the following:

North Rim Fairways Assn.
P.O. Box 242
Jerome, Idaho 83338


Travis L. Thompson

Received By JE Stanton 5-22-06 Receipt 5028665