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Attorneys for Twin Falls Canal Company

**BEFORE THE DEPARTMENT OF WATER RESOURCES
 OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION)
 FOR PERMIT NO. 25-14182)
 (in the name of Janice Pinson))

**CONDITIONAL WITHDRAWAL
 OF PROTEST**

TWIN FALLS CANAL COMPANY (hereinafter "TFCC"), by and through their attorneys of record, BARKER ROSHOLT & SIMPSON LLP, hereby files this *Conditional Withdrawal of Protest* to the approval of the above-numbered application for permit filed by Janice Pinson ("Applicant").

Counsel for TFCC has spoken with Dan Sharp (Thompson Engineering), representative for the Applicant, and has reviewed Mr. Sharp's calculations and the water use requirements for the proposed project. It is TFCC's understanding that the Applicant does not propose to irrigate any lawns, common areas, or other any other areas on the property with groundwater under this application. In addition, it is TFCC's understanding that the proposed annual volume listed on the application, 144.79 acre-feet, is a mistake, and that the project will only require 16.06 acre-

feet per year. Accordingly, TFCC agrees to withdraw its protest to the application provided IDWR's approval of the permit includes the following conditions:

1. Volume: 16.06 acre-feet
2. Commercial use is for "in-house" potable water use for 90 R.V. hook-ups and 10 cabins and does not include lawn, garden, landscape, or other types of irrigation.

Counsel for TFCC has discussed the above conditional withdrawal with Mr. Sharp today and the Applicant agrees to the above conditions. If IDWR includes the above conditions on the permit approval, it may consider this document a withdrawal of TFCC's protest.

DATED this 24th day of May 2006.

BARKER ROSHOLT & SIMPSON LLP


Travis L. Thompson

Attorneys for Twin Falls Canal Company

CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of May, 2006, I served a true and correct copy of the foregoing *Conditional Withdrawal of Protest*, by depositing same in the United States mail, postage prepaid, addressed to the following:

Janice Pinson
13361 N 45 E
Idaho Falls, Idaho 83401

Dan Sharp
154 E. Main St.
P.O. Box 55
Rigby, Idaho 83442


Travis L. Thompson