

E. Gail McGarry  
Program Manager, Water Rights and Acquisition  
PN-3100  
Bureau of Reclamation  
1150 N. Curtis Road  
Boise, ID 83706-1234

RECEIVED  
SEP. - 6 2005  
Department of Water Resources  
Eastern Region

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

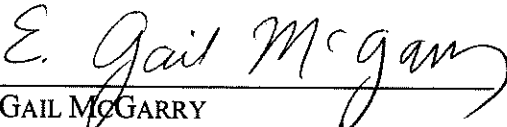
IN THE MATTER OF APPLICATION        )  
FOR PERMIT NO. 25-14114 IN THE        )  
NAME OF FALLS WATER                 )  
COMPANY, INC.                         )  
                                              )

**NOTICE OF WITHDRAWAL OF PROTEST**

The Bureau of Reclamation hereby withdraws its Protest of Application for Permit No. 25-14114, provided that the following conditions, which have previously been stipulated to by Falls Water Company, Inc., in the *Stipulation to Resolve Protest (Aug. 22, 2005)*, are included on any subsequent water right permit and license issued by the Idaho Department of Water Resources for the above-captioned application:

1. Diversion and use of water under this right, in conjunction with water right nos. 25-7148, 25-7191, 25-7418, 25-14035, and 25-14055 is limited to a total annual volume of 3,716 acre-feet.
2. Prior to the diversion and use of water under this right, the right holder shall install and maintain an acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion in accordance with Department specifications.

DATED this 2<sup>nd</sup> day of September, 2005.

  
E. GAIL MCGARRY  
Program Manager, Water Rights and Acquisition  
Pacific Northwest Region, Bureau of Reclamation

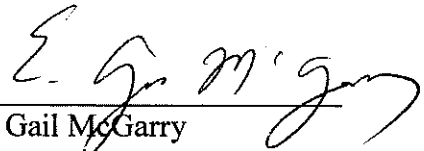
CERTIFICATE OF SERVICE

I hereby certify that on this 2<sup>nd</sup> day of September, 2005 I served a true and correct copy of the foregoing *Withdrawal of Protest*, by depositing same in the United States mail, postage prepaid, addressed to the following:

Idaho Department of Water Resources  
Eastern Region  
900 N. Skyline Dr., Suite A  
Idaho Falls, ID 83402-1718

Kent W. Foster, Esq.  
Holden, Kidwell, Hahn & Crapo, P.L.L.C.  
P. O. Box 50130  
Idaho Falls, ID 83405

Travis L. Thompson, Esq.  
Barker, Rosholt & Simpson, L.L.P.  
113 Main Ave., W., Suite 303  
Twin Falls, ID 83301-6167

  
E. Gail McGarry