

John K. Simpson, ISB #4242
Travis L. Thompson, ISB #6168
BARKER ROSHOLT & SIMPSON LLP
113 Main Ave. West, Suite 303
Twin Falls, Idaho 83301-6167
Telephone: (208) 733-0700
Facsimile: (208) 735-2444

RECEIVED
JUL 05 2005
Department of Water Resources
Southern Region

Attorneys for Twin Falls Canal Company and North Side Canal Company

RECEIVED
JUL 06 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. 22-13404) **NOTICE OF PROTEST**
(in the name of EE-DA-HOW Water Users)
Association))
_____)

TWIN FALLS CANAL COMPANY AND NORTH SIDE CANAL COMPANY
(hereinafter "Canal Companies"), 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 EE-DA-HOW Water Users Association (hereinafter
referred to as the "Applicant"). The initial basis for Canal Companies' protest is as follows:

1. The application will result in injury to the Canal Companies in that depletion will
occur to the Teton River, a tributary to the Henry's Fork River which is tributary to the Snake
River, a river that supplies the Canal Companies' water rights; and
2. The Applicant has failed to provide information that would indicate why an
additional well needs to be drilled (10" well) to serve the same number of existing homes; and

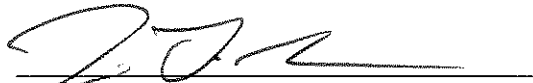
MB
7/5/05
R#50 27804

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

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

DATED this 5th day of July 2005.

BARKER ROSHOLT & SIMPSON LLP


Travis L. Thompson

Attorneys for Twin Falls Canal Company and
North Side Canal Company

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of July, 2005, 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:

EE-DA-HOW Water Users Association
c/o Amiee Gourley
72 Grandview Drive
Driggs, Idaho 83422


Travis L. Thompson