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RECEIVED
MAY 10 2005
Department of Water Resources
Eastern Region

RECEIVED
MAY 09 2005
Department of Water Resources
Southern Region

Attorneys for Twin Falls Canal Company and
North Side Canal Company

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 25-14167 in the name) **NOTICE OF PROTEST**
of COMORE DEVELOPMENT INC.)
_____)

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 Comore Development, Inc. ("Applicant"). The initial
basis for the Canal Companies' protest is as follows:

1. The application will result in injury to the Canal Companies in that depletion will occur to the reaches of the Snake River that supply the Canal Companies' 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*

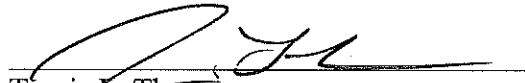
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Plain Area and Boise River Drainage Area (April 30, 1993) ("Moratorium Order") and has not provided a mitigation plan in the alternative; and

3. The application does not meet the definition of "domestic" purpose or use as set forth in I.C. § 42-111; and
4. The application violates the criteria of I.C. § 42-203A(5); and
5. For such other and further reasons as may be discovered or set forth at the hearing on this matter.

DATED this 9th day of May 2005.

BARKER ROSHOLT & SIMPSON LLP

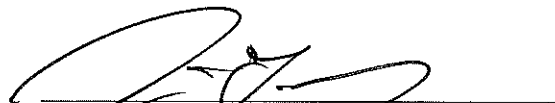

Travis L. Thompson

Attorneys for Twin Falls Canal Company and
North Side Canal Company

CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of May 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:

Comore Development Inc.
3920 East Sunnyside Road
Idaho Falls, ID 83406


Travis L. Thompson