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DEPARTMENT OF
WATER RESOURCES

S. BRYCE FARRIS (ISB #5636)
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Attorneys for Protestant Drainage District No. 4

BEFORE THE DEPARTMENT OF WATER RESOURCES OF

THE STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR TRANSFER NO. 70620 IN THE)
NAME OF WARM SPRINGS DITCH CO.)
_____)

WITHDRAWAL OF PROTEST

COMES NOW, Drainage District No. 4 (hereinafter referred to as "Protestant"), by and through their attorneys, Ringert Clark, Chartered, and hereby withdraw their protest to the Application for Transfer No. 70620 by Warm Springs Ditch Co. ("Applicant").

The basis for this Withdrawal of Protest is that the Applicant has removed its claim for water right no. 63-31728 from their Application for Transfer pursuant to their Amended Application for Transfer of Water Right filed with IDWR on February 7, 2005.

Dated this 8th day of February, 2005.

RINGERT CLARK, CHARTERED

By: 

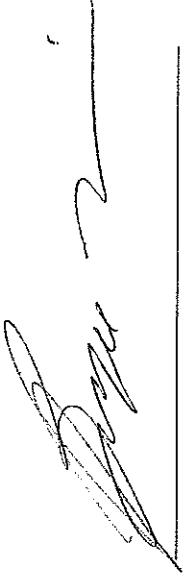
S. Bryce Farris
Attorney for Drainage District No. 4

WITHDRAWAL OF PROTEST - 1

CERTIFICATE OF SERVICE

The undersigned does hereby certify that on this 8th day of February, 2005, he caused a true and correct copy of the within and foregoing document to be transmitted by U.S. mail to the following

Warm Springs Ditch Co.
c/o Hoff Companies Inc.
280 Corporate Drive, Ste. 200
Meridian, Idaho 83642

A handwritten signature in dark ink, appearing to read 'S. Bryce Farris', is written over a horizontal line.

S. Bryce Farris