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AUG 17 2009

DEPARTMENT OF
WATER RESOURCES

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Attorneys for Clear Springs Foods, Inc.

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF DISTRIBUTION OF)	
WATER TO WATER RIGHTS NOS. 36-02356A,)	PROTEST TO GROUND WATER
36-07210, AND 36-07427)	USERS' JOINT MITIGATION
)	PLAN FOR 2009
Blue Lakes Delivery Call)	
_____)	

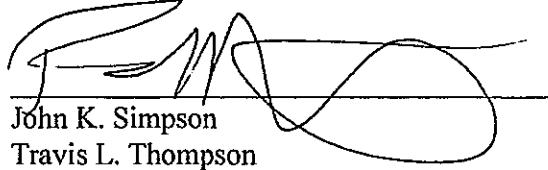
Clear Springs Foods, Inc, (Clear Springs), by and through its counsel, files this *Protest to Ground Water Users' Joint Mitigation Plan for 2009* ("Protest"), in the above-captioned matter.

This *Protest* is filed on the basis that the *Joint Mitigation Plan* identifies a number of actions which are identical to the actions enumerated in plans filed *IN THE MATTER OF DISTRIBUTION OF WATER TO WATER RIGHT NOS. 36-04103A, 36-04013B AND 36-7148 (Snake River Farm)*, and are flawed for the reasons identified in Clear Springs' protest filed in the *Snake River Farm* Action, including, but not limited to the amount of mitigation required, the method for calculating said mitigation owed, the timing of mitigation, and the procedures implemented. The *Snake River Farm* Protest is incorporated into this Protest as if formally

attached. Clear Springs reserves the right to supplement its Protest as further information becomes available.

Dated this 17th day of August, 2009.

BARKER ROSHOLT & SIMPSON LLP

A handwritten signature in black ink, appearing to be 'J. K. Simpson', written over a horizontal line. The signature is stylized and somewhat cursive.

John K. Simpson
Travis L. Thompson
Paul L. Arrington

Attorneys for Clear Springs Foods, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of August, 2009, I served a true and correct copy of the foregoing **PROTEST TO GROUND WATER USERS' JOINT MITIGATION PLAN FOR 2009** by delivering it to the following individuals by the method indicated below, addressed as stated.

Interim Director Gary Spackman
c/o Victoria Wigle
Idaho Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098
victoria.wigle@idwr.idaho.gov

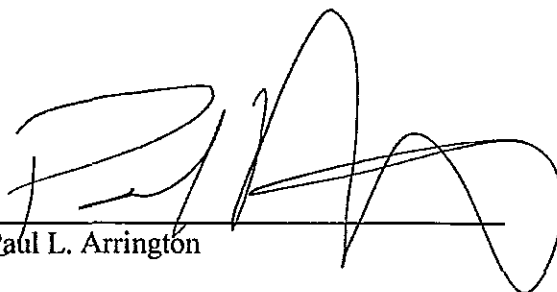
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