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RECEIVED

JUL 06 2021

Department of Water Resources
Eastern Region

Attorneys for James Whittaker and Whittaker Two Dot Ranch LLC

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR
TRANSFER 84441 IN THE NAME OF
BRUCE AND GLENDA MCCONNELL

**PETITION FOR THE DIRECTOR
TO REVIEW PRELIMINARY ORDER
APPROVING TRANSFER,
ORDER DENYING
PETITION TO RE-OPEN
HEARING, AND PETITION FOR
SITE VISIT**

Protestants James Whittaker and Whittaker Two Dot Ranch LLC (collectively "Whittaker"), by and through their attorneys of record, Holden, Kidwell, Hahn & Crapo, P.L.L.C., pursuant to the *Explanatory Information to Accompany a Preliminary Order* provided in this matter and the Rules of Procedure of the Idaho Department of Water Resources (IDAPA 37.01.01), hereby submits this *Petition for the Director to Review Preliminary Order Approving Transfer, Order Denying Petition to Re-open Hearing, and Petition for Site Visit*. This petition is in response to both the original *Preliminary Order Approving Transfer* issued on May 18, 2021, as well as the *Order Denying Petitions for Reconsideration and Order Denying Petition to Re-open Hearing and*

Petition for Site Visit issued on June 21, 2021. These decisions were issued by Hearing Officer James Cefalo.

This petition is brought pursuant to Idaho Code § 67-5245(3) and IDAPA 37.01.01.730.02.b-d, and is supported by the *Exceptions to Preliminary Order Approving Transfer, Order Denying Petition to Re-open Hearing, and Petition for Site Visit* filed contemporaneously herewith.

DATED this 6th day of July, 2021.



Robert L. Harris, Esq.
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of July, 2021, I served a copy of the following described pleading or document on the attorneys and/or individuals listed below by the method indicated below.

**DOCUMENT SERVED: PETITION FOR THE DIRECTOR TO REVIEW
PRELIMINARY ORDER APPROVING TRANSFER, ORDER
DENYING PETITION TO RE-OPEN HEARING, AND
PETITION FOR SITE VISIT**

ORIGINAL VIA FIRST-CLASS MAIL AND EMAIL TO:

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