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JAN 05 2017

DEPARTMENT OF
WATER RESOURCES

Attorney for Applicant.

BEFORE THE STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF APPLICATIONS
FOR PERMIT NO. 63-34079 AND 63-
34080

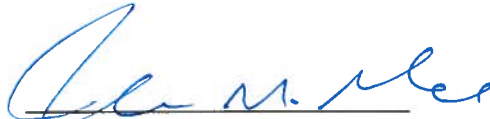
**APPLICANT'S MOTION FOR
RECONSIDERATION**

Chris Emmert files this *Motion for Reconsideration* ("Motion") to request that the Department reconsider its *Order Granting Motion for Continuance of Hearing*, dated January 4, 2017 (the "Order"). The *Order* states that the Department has not received a response from Applicant in response to the *Motion for Continuance of Hearing* filed by the Boise Project Board of Control. However, Applicant submitted a timely response, having mailed the original copy of its *Response in Opposition to Motion for Continuance* ("Response") on the morning of December 28, 2016. It appears this copy has been misplaced by the US Mail. A copy of the original is included with this motion. Applicant requests that the Department withdraw the *Order* and then review and consider Emmert's *Response* before revising and reissuing the *Order*.

Applicant sought a stipulation from Boise Project to consideration of the *Response* by the Department, but the Boise Project has refused. Given the tight timeframes involved and the fact that this motion does not request any substantive change, only review and consideration of a pleading already in the hands of the protestant, Applicant requests expedited consideration of this *Motion* pursuant to Rule of Procedure 270.02, with any opposition required within five days.

Dated this 5th day of December, 2016.

JOHN MARSHALL LAW PLLC



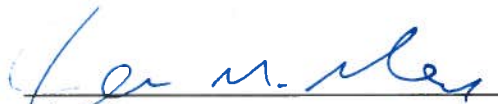
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 5th day of January 5, 2017, I caused the original of this document to be filed with the Idaho Department of Water Resources via hand delivery and a true and correct copy of the foregoing to be served by the method indicated below, and addressed to the following.

Shelley M Davis
Barker Rosholt & Simpson LLP
1010 W. Jefferson St Ste 102
PO Box 2139
Boise, ID 83701-2139

____ U.S. Mail
____ Overnight Mail
☒ Hand Delivery
____ Fax



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