

RICHARD K. LINVILLE
CITY ATTORNEY FOR THE CITIES OF IDAHO CITY AND HORSESHOE BEND, IDAHO
306 East Main Street
P.O. Box 671
Emmett, ID 83617
Telephone (208)365-2106
Fax (208)365-9411

RECEIVED

OCT 24 2011

DEPARTMENT OF
WATER RESOURCES

David B. Hargraves
Deputy Prosecuting Attorney

Timothy R. McNeese
Deputy Prosecuting Attorney

October 21, 2011

Jeff Peppersack
Hearing Officer
Idaho Department of Water Resources
322 Front Street
P.O. Box 83720
Boise, Idaho 83720-0098

Re: *In the Matter of Application for Permit to Appropriate Water No. 63-33321 in
the Name of: Elk Creek Corporation*

Dear Mr. Peppersack:

Enclosed please find a Motion for Issuance of Subpoena in the above-entitled case. I am enclosing two (2) subpoenas with this motion and a self-addressed, stamped envelope. If you will issue the subpoenas and return them to me in the envelope provided, I will have them served.

If you have any questions, please call me at (208) 365-2106.

Sincerely yours,



Richard Linville
City Attorney for the City of Idaho City

Encls.

BEFORE THE DEPARTMENT OF WATER SOURCES

FOR THE STATE OF IDAHO

IN THE MATTER OF)
APPLICATION FOR PERMIT)
TO APPROPRIATE WATER)
NO. 63-33321)
IN THE NAME OF:)
ELK CREEK CORPORATION)
)
_____)

SUBPOENA

GREETINGS TO: PETE WAGNER
Regional Administrator
Boise DEQ Regional Office
1445 No. Orchard, Boise, ID 83706

YOU ARE HEREBY COMMANDED to appear before the Idaho Department of Water Resources, State Office, Conference Rooms C and D, 322 Front Street, Boise, Idaho, at the hearing set in this case for Tuesday, November 8, 2011 at 9:30 a.m. and bring with you the following documents or physical evidence: N/A.

GIVEN UNDER MY HAND and seal this ____ day of _____, 20__.

JOHN WESTRA
Regional Manager

CERTIFICATE OF SERVICE

I hereby certify that I personally served the within Subpoena by personally delivering a copy thereof to _____, above named on the ____ day of _____, 20 ____ at ____:____.m. at _____.

_____, SHERIFF
BY: _____
Deputy Sheriff

Faxed: _____

BEFORE THE DEPARTMENT OF WATER SOURCES

FOR THE STATE OF IDAHO

IN THE MATTER OF)
APPLICATION FOR PERMIT)
TO APPROPRIATE WATER)
NO. 63-33321)
IN THE NAME OF:)
ELK CREEK CORPORATION)
)
_____)

SUBPOENA

GREETINGS TO: MONTE MARCHUS
Engineer
Boise DEQ Regional Office
1445 No. Orchard, Boise, ID 83706

YOU ARE HEREBY COMMANDED to appear before the Idaho Department of Water Resources, State Office, Conference Rooms C and D, 322 Front Street, Boise, Idaho, at the hearing set in this case for Tuesday, November 8, 2011 at 9:30 a.m. and bring with you the following documents or physical evidence: N/A.

GIVEN UNDER MY HAND and seal this ____ day of _____, 2011.

JOHN WESTRA
Regional Manager

CERTIFICATE OF SERVICE

I hereby certify that I personally served the within Subpoena by personally delivering a copy thereof to _____, above named on the ____ day of _____, 2011 at __:__.m. at _____.

_____, SHERIFF
BY: _____
Deputy Sheriff

Faxed: _____