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MAY 04 2009

DEPARTMENT OF
WATER RESOURCES

Robert L. Harris (ISB # 7018)
HOLDEN, KIDWELL, HAHN & CRAPO, PLLC
1000 Riverwalk Dr., Ste. 200
PO Box 50130
Idaho Falls, ID 83405-0130
Telephone No.: 208-523-0320 *0610*
Facsimile No.: 208-523-9518

Attorneys for F. James & Paula J. Whittaker.

**IN AND FOR THE DEPARTMENT OF WATER RESOURCES
STATE OF IDAHO**

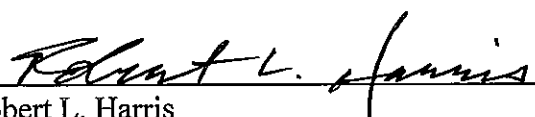
IN THE MATTER OF APPLICATION TO
RENT WATER FROM THE WATER
SUPPLY BANK, NOS. 74-2320 AND 74-
15190, IN THE NAME OF THE IDAHO
WATER RESOURCE BOARD

Nos. 74-2320 and 74-15190

**MOTION FOR INDEPENDENT
HEARING OFFICER**

James Whittaker (hereinafter "Whittaker") by and through counsel of record, Robert L. Harris of the law firm Holden, Kidwell, Hahn & Crapo, PLLC, pursuant to IDAPA Rule 37.01.01.412, hereby requests an independent hearing officer in the above entitled matter. Whittaker requests that no employee of the Idaho Department of Water Resources be appointed as the hearing officer in this matter.

Dated this 1st day of May, 2009.


Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, PLLC

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the following described pleading or document on the attorneys listed below by hand delivering, by mailing or by facsimile, with the correct postage thereon, on this 17th day of May, 2009.

DOCUMENT SERVED: MOTION FOR INDEPENDENT HEARING OFFICER

ATTORNEYS AND/OR INDIVIDUALS SERVED:

Gary Spackman
Idaho Department of Water Resources
PO Box 83720
Boise, ID 83720-0098

(☒) *First Class Mail*
(☐) *Hand Delivery*
(☐) *Facsimile*
(☐) *Overnight Mail*
(☒) *Email*

Harriet A. Hensley
Deputy Attorney General
Natural Resources Division
P.O. Box 83720
Boise, ID 83720-0010

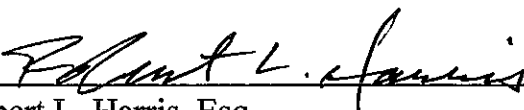
(☒) *First Class Mail*
(☐) *Hand Delivery*
(☐) *Facsimile*
(☐) *Overnight Mail*
(☒) *Email*

Morgan Case
IWRB
PO Box 83720
Boise, ID 83720-0098

(☒) *First Class Mail*
(☐) *Hand Delivery*
(☐) *Facsimile*
(☐) *Overnight Mail*
(☐) *Email*

James Whittaker
PO Box 240
Leadore, ID 83464

(☒) *First Class Mail*
(☐) *Hand Delivery*
(☐) *Facsimile*
(☐) *Overnight Mail*
(☒) *Email*



Robert L. Harris, Esq.
Holden, Kidwell, Hahn & Crapo, PLLC