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*Attorneys for M3 Eagle LLC*

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APR 07 2009

Department of Water Resources

**BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION  
FOR PERMIT NO. 63-32573 IN THE  
NAME OF M3 EAGLE LLC

**M3 EAGLE'S REQUEST FOR SUBPOENA**

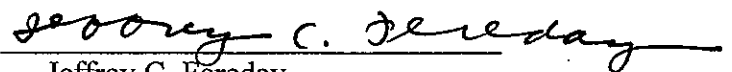
Applicant M3 Eagle LLC, through Jeffrey C. Fereday and Michael P. Lawrence of the firm Givens Pursley LLP, hereby requests that the Idaho Department of Water Resources issue a Subpoena for IDWR employee, Rob Whitney, to appear and testify at the hearing in the above captioned matter. We anticipate that he will be called to testify on May 5, 2009 beginning at 9:00 a.m., or at such other time that he is available.

DATED this 7<sup>th</sup> day of April, 2009.

Respectfully submitted,

GIVENS PURSLEY LLP

By



Jeffrey C. Fereday

Michael P. Lawrence

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th of April, 2009, the foregoing was filed, served, or copied as follows:

FILED

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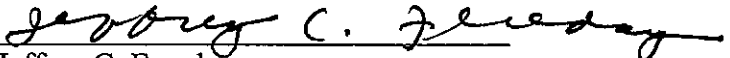
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