

**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

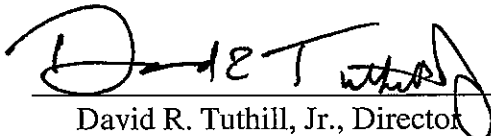
SUBPOENA

THE STATE OF IDAHO SENDS GREETINGS TO:

**ROB WHITNEY
Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082**

YOU ARE HEREBY COMMANDED to appear before the Director or hearing officer for the Idaho Department of Water Resources at the office of the Idaho Department of Water Resources, located at 322 E. Front Street, 6th Floor Conference Room, Boise, Idaho on **May 5, 2009, beginning at 9:00 a.m.** as a witness in the above captioned matter.

DATED this 8th day of April, 2009.

By 
David R. Tuthill, Jr., Director
Idaho Department of Water Resources