

STATE OF IDAHO }
COUNTY OF KOOTENAI } SS
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2008 MAY -9 PM 2:18

CLERK DISTRICT COURT

DEPUTY _____

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**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF KOOTENAI**

RATHDRUM POWER LLC,

Petitioner,

vs.

**THE DEPARTMENT OF WATER
RESOURCES, an Executive Department of
the State Government of the State of Idaho,**

Respondent.

Case No.: CV 08-2845

JOINT MOTION FOR REMAND

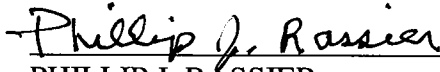
COME NOW, the Petitioner, Rathdrum Power LLC ("Rathdrum"), and the Respondent, the Idaho Department of Water Resources ("IDWR"), and through their

respective undersigned counsel of record jointly move this Court, pursuant to I.R.C.P. 84(o), for entry of an order remanding this action to the Director of the Idaho Department of Water Resources.

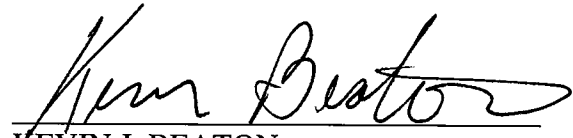
The parties request the matter be remanded to IDWR for the purpose of permitting IDWR to take further action in this matter in accordance with the parties' Stipulated Agreement For Remand filed concurrently with and in support of this motion. This motion is further based upon the pleadings and other matters of record in this action. No hearing is requested on the motion.

DATED this 9th day of May, 2008.

For Respondent


PHILLIP J. RASSIER
Deputy Attorney General
Idaho Department of Water Resources

For Petitioner


KEVIN J. BEATON
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