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RECEIVED
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DEPT. OF WATER RESOURCES
SOUTHERN REGION

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

IN THE MATTER OF APPLICATION FOR)
AMENDMENT FOR WATER RIGHT NO.)
75-7052 and 75-7589 IN THE NAME OF)
WILLIAMS LAKE RECREATIONAL)
WATER & SEWER DISTRICT)

**MOTION
IN LIMINE**

COMES NOW, Petitioner, the Board of Directors of Williams Lake Recreational Water and Sewer District, (hereinafter referred to as "District") by and through their counsel of record, Milton A. Slavin, Esq., and moves this Honorable Hearing Officer to issue an order limiting the Protestants to the application for municipal status on the grounds and for the reasons that:

Whereas, some of the Protestants to this action own property located solely within the District; and

Whereas, those Protestants do not hold individual water rights or an interest in a water right other than those held by the District; and

Whereas, those Protestants are homeowners or property owners within the District; and

Whereas, the District and/or the property owners are represented by the Board of Directors pursuant to the provisions of Title 42, Chapter 32 of the Idaho Code; and

Whereas, the Idaho Code Section 42-3212 defines the general powers of the Board of Directors; and

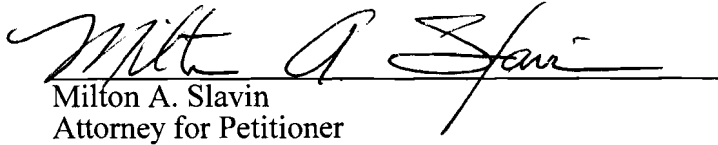
Whereas, Idaho Code Section 42-3212(f) and (h) specifically sets forth the powers of the board as follows:

“For and on behalf of the District the board shall have the following powers:
(f) to acquire, dispose of and encumber real and personal property, water, water rights, (emphasis added) water and sewage systems and plants, and any interest therein, including leases, and easements within or without the district;
(g) To have the management, control and supervision of all the business and affairs of the district and the construction, installation, operation and maintenance of district improvements therein or therefor;”

The Board, by and through their attorney of record hereby seeks an order limiting the Protestants to the Application for Change of Status to Municipal from Domestic to those persons who hold an interest in individual water rights separate from the District and may be adversely affected by the change in status if granted by the IDWR.

Oral argument is requested.

DATED: this 25 day of May 2007.


Milton A. Slavin
Attorney for Petitioner