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OCT 10 2006

Department of Water Resources

**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

**AFFIDAVIT FOR
DISQUALIFICATION OF
HEARING OFFICER**

I, RICHARD BORST, as acting Chairman on behalf of the Directors of the Williams Lake Recreational Water and Sewer District, object to Gary Spackman presiding as the hearing officer in this matter, on the grounds and for the reason:

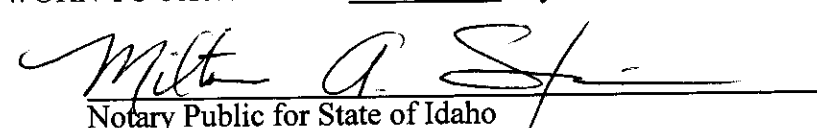
That Mr. Spackman has already issued a limiting order in respect to the domestic use of water in respect to applications 75-07589 and 75-07590, which is in contradiction to the purpose of a municipal nature of use. Additionally, Roger Warner, of the IDWR, has also stated that changing the nature of use to municipal will not release the District from the limiting restrictions of the "Spackman" order. Since Mr. Spackman is the person who authored the order he will be prejudiced to keep the restrictive limits in place.

DATED: this 4th day of October, 2006.


RICHARD BORST, Acting Chairman



SUBSCRIBED AND SWORN TO before me this 4th day of October, 2006.


Notary Public for State of Idaho
Residing at Salmon, Idaho
My Commission Expires: 10/26/11

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IN THE MATTER OF APPLICATION FOR)
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75-7052 and 75-7589 IN THE NAME OF)
WILLIAMS LAKE RECREATIONAL)
WATER & SEWER DISTRICT)

**ORDER FOR
DISQUALIFICATION OF
HEARING OFFICER**

THE DEPARTMENT OF WATER RESOURCES, having received a motion to disqualify hearing officer by Petitioners, Williams Lake Recreational Water and Sewer District, in the above entitled matter, and it appearing that the motion is properly presented in accordance with Idaho Code § 67-5252, and good cause appearing therefor;

IT IS HEREBY ORDERED that the undersigned hearing officer deems himself disqualified from further proceedings in the above entitled matter, and the matter is transferred to the Department of Water Resources of the State of Idaho for reassignment of final disposition as is deemed proper.

DATED: this _____ day of October, 2006.

GARY SPACKMAN