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March 3, 2006

FAX COVER LETTER

PAGES BEING SENT: 3
(INCLUDING COVER SHEET)

TO: Allen D. Merritt
Department of Water Resources

FAX: (208) 736-3037

FROM: Joseph F. James

SUBJECT: Mountain View Water Corp.
Application for Water Permit No. 37-21278

As per our conversation this morning, please find enclosed Motion for Discovery Order. Any questions, please give me a call. Thank you.

CONFIDENTIALITY NOTE

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Attorneys for Mountain View Water Corp.

BEFORE THE DEPARTMENT OF WATER RESOURCE
 OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION	)	
FOR PERMIT NO. 37-21278	)	
	)	MOTION FOR DISCOVERY ORDER
	)	(IDAPA 37.01.01.521)
Mountain View Water Corp,	)	
c/o Duane Johnson,	)	
Applicant	)	
	)	
Clear Springs Foods, Inc.,	)	
Protestant	)	
_____	)	

COMES NOW, Applicant, Mountain View Water Corp., by and through it's attorney's of record, Brown and James, and hereby moves this Court for it's Order allowing the parties to conduct discovery in the above entitled matter in accordance with IDAPA 37.01.01.520. This motion is brought pursuant to IDAPA 37.01.01.521. Applicant requests a discovery order be entered in the event Protestant's pending motion to dismiss is denied. This motion is based upon the entire record before the agency, and upon the grounds that during the Pre-Hearing Conference on June 22, 2005, the parties discussed scheduling and indicated that discovery would be appropriate after the agency's determination on any dispositive motion.

Dated this 23rd day of August, 2005.

BROWN & JAMES

By: 
 Joseph F. James

CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of August, 2005, I served a true and correct copy of the foregoing document upon the following persons in the manner indicated:

Gary Spackman, Hearing Officer
IDWR
322 E. Front St.
P.O. Box 83720
Boise, ID 83720-0098
Fax (208) 287-6700

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Dana Ward