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DEPARTMENT OF
WATER RESOURCES

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Attorneys for James P. Conger and Joan Conger

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF WATER RIGHT	)	
LICENSE NO. 37-7893B IN THE NAME	)	
OF JAMES P. CONGER AND JOAN	)	PETITION FOR
CONGER	)	RECONSIDERATION
	)	
	)	

James P. Conger and Joan Conger ("Conger"), by and through their attorney, James P. Speck, of Speck & Aanestad, A Professional Corporation, hereby petitions the Idaho Department of Water Resources (the "Department") pursuant to I.C. § 67-5343(3) for reconsideration of its preliminary order titled Water Right License Water Right No. 37-7893B (the "License"). In support thereof, Conger states as follows:

1. The License was received by the undersigned attorney on September 18, 2006. This was the first time either Conger or the undersigned attorney was made aware that the License would be issued for the irrigation of only 23 acres.
2. The Beneficial Use Field Report for the License is signed by the field examiner on

September 7, 2006. A copy of that Report was not provided to either Conger or the undersigned prior to the License being issued.

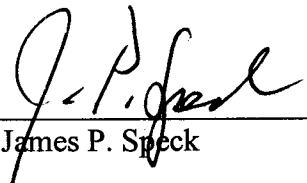
3. Conger has discussed the size of the irrigated areas with the two men who have irrigated and raised the crops on the land since the amended permit was issued in 1994, and they believe the area irrigated on the bench up by the highway is approximately 20 to 21 acres and the area irrigated down below the bench is approximately 18 to 19 acres.

4. Conger never had the opportunity to walk the property with the field examiner and show him how all of this land was, in fact, irrigated. Conger now asks for the opportunity to do just that and to have the License amended to state the actual number of acres irrigated on the ground.

WHEREFORE, Conger respectfully requests the Department to withdraw the preliminary order issuing the License, have the field examiner inspect the irrigated areas with him and then accurately calculate, by survey or otherwise, the size of those areas and amend the License accordingly.

Dated this 25 day of September, 2006.

SPECK & AANESTAD
A Professional Corporation
Attorneys for James P. Conger and Joan
Conger

By: 
James P. Speck

CERTIFICATE OF SERVICE

I hereby certify that on the 25 day of September 2006, I served a true and correct copy of the within and foregoing document upon the persons named below in the manner noted:

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