

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR TRANSFER OF WATER RIGHTS)
IN THE NAME OF UNITED WATER)
IDAHO, INC., INTEGRATED)
MUNICIPAL APPLICATION)
PACKAGE (IMAP))
_____)

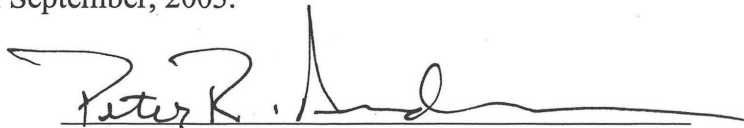
**IMAP-ORDER DENYING MOTION
FOR COSTS AND ATTORNEY FEES
AND MEMORANDUM IN SUPPORT**

Pioneer Irrigation District and Settlers Irrigation District (the "Districts") filed their *Motion for Costs and Attorney Fees and Memorandum in Support* on August 21, 2003. The Districts request that the Applicant, United Water Idaho, pay the Districts their costs and attorney fees for responding to the *Motion for Protective Order* filed by the Applicant on August 12, 2003, and subsequently withdrawn by UWID's *Notice of Withdrawal of Motion for Protective Order* on August 20, 2003.

IDAPA 37.01.01.260.02.b states that a motion should "[r]efer to the particular provision of statute, rule, order, notice, or other controlling law upon which they are based ..." The *Motion for Costs and Attorney Fees and Memorandum in Support* cites no statutory authority or IDWR rule that allows for the award of costs and attorney fees in administrative hearings before the Idaho Department of Water Resources.

Based upon the foregoing the *Motion for Costs and Attorney Fees and Memorandum in Support* is DENIED.

DATED this 3rd day of September, 2003.



Peter R. Anderson
Hearing Officer

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 14th day of September 2003, the above and foregoing document was served on the following by placing a copy of the same in the United States mail, postage prepaid and properly addressed to the following:

CHRISTOPHER H MEYERS
JOHN M MARSHALL
GIVENS PURSLEY
PO BOX 2720
BOISE ID 83701

E GAIL MC GARRY PN-3100
BUREAU OF RECLAMATION
1150 N CURTIS RD STE 100
BOISE ID 83706-1234

KATHLEEN MARION CARR
OFFICE OF THE FIELD SOLICITOR
US DEPT OF INTERIOR
550 W FORT ST MSC-020
BOISE ID 83724

ALBERT BARKER
BARKER ROSHOLT & SIMPSON
PO BOX 2139
BOISE ID 83701-2139

CHARLES L HONSINGER
RINGERT CLARK CHARTERED
PO BOX 2773
BOISE ID 83701-2773

BRUCE M SMITH
TAMMY A ZOKAN
MOORE SMITH BUXTON & TURCKE
225 N 9TH ST STE 420
BOISE ID 83702

SCOTT L CAMPBELL
MOFFATT THOMAS
PO BOX 829
BOISE ID 83701-0829

MATT WILDE
CITY OF BOISE
PO BOX 500
BOISE ID 83701-0500

JOSEPHINE P BEEMAN
BEEMAN & ASSOCIATES PC
409 W JEFFERSON
BOISE ID 83702

ROBERT W TALBOY
ELLSWORTH KALLAS & TALBOY
2402 W JEFFERSON ST
BOISE ID 83702

ED SQUIRES
HYDRO LOGIC INC
1002 W FRANKLIN ST
BOISE ID 83702-5431

IDWR -WESTERN REGION MANAGER
2735 AIRPORT WAY
BOISE ID 83705-5082


Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau