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AUG 16 2011

DEPARTMENT OF  
WATER RESOURCES

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Pro Se

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT  
OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF ADA

JOHN B. KUGLER )  
)  
Petitioner/Appellant, )  
vs. )  
)  
THE STATE OF IDAHO DEPARTMENT OF )  
WATER RESOURCES AND GARY )  
SPACKMAN, IT'S ACTING DIRECTOR, )  
)  
Respondents. )  
\_\_\_\_\_ )

Case No. CV W 2011-15672

PETITION FOR REVIEW

COMES NOW the petitioner/appellant, *pro se*, and complains of Mr. Spackman and the Department of Water Resources as follows:

1. The agency from which petitioner takes his appeal is the Department of Water Resources.

2. The title of the proceedings before the department is as it appears in the true copy of the Notice of Appeal attached hereto and by this reference made a part hereof. Additionally there is a Preliminary Order Suspending Action And Prohibiting Development dated March 23, 2007 which is a part of this Petition For Review.

3. The hearings of January 21,2009 and the latest hearing on June 14, 2011 were each electronically recorded.

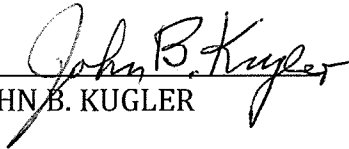
4. The basic issue is whether or not your petitioner is entitled to be issued a well drilling permit so that the water right development can be completed. One other issue is whether or not any waters that are applied to the ground are trust

waters or are waters whose right of use are determined by priority. Petitioner intends to supplement issue identification for the Court within the fourteen day time period.

5. Petitioner at this time has not determined if a transcript is required and will notify the department and the clerk in regards to the same within fourteen days of filing this petition.

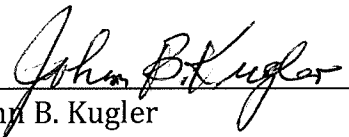
6. Petitioner has requested of the department an estimate of the costs of preparation of the record and certifies that he has submitted payment for the same with the Notice of Appeal transmitted this date.

Dated this 13<sup>th</sup> day of August, 2011.

  
JOHN B. KUGLER

#### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Petition For Review was served on respondents by mailing the same to The Department of Water Resources and Gary Spackman, it's director, at P.O. Box 83720-0098 this 13<sup>th</sup> day of August , 2011.

  
John B. Kugler