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*Attorneys for the Idaho Water Resource Board*

**BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES  
OF THE STATE OF IDAHO**

IN THE MATTER OF LICENSE NO. )  
37-7842 IN THE NAME OF THE )  
IDAHO WATER RESOURCE BOARD ) )  
MOTION TO DISMISS )  
PETITION FOR DECLARATORY )  
RULING )  
)  
)  
)

COMES NOW, licensee, the Idaho Water Resource Board (“IWRB”), by and through its  
counsel of record, hereby moves pursuant to IDAPA 37.01.01.260.03, to dismiss the  
Petition for Hearing and Petition for Declaratory Ruling filed in the above captioned matter.<sup>1</sup>

<sup>1</sup> Petitioners William Arkoosh, the Estate of Vernon Ravencroft, Koyle Hydro Inc., Notch Butte Hydro Company, Inc., and Shorock Hydro Inc. filed a joint Petition for Hearing pursuant to I.C. § 42-1701A(3) and a Petition for

The grounds for this motion are more fully set forth in the Memorandum in Support of Motion to Dismiss Petition for Declaratory Ruling filed herewith.

Accordingly, the IWRB moves for an Order dismissing the Petition for Declaratory Ruling or, in the alternative, asking for clarification of the grounds for the petition and a clear statement of the declaratory ruling the Petitioners seek.

DATED this 22<sup>nd</sup> day of August 2017.

  
ANN Y. VONDE  
Deputy Attorney General

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Declaratory Ruling pursuant to IDAPA 37.01.01.400. The Petition for Hearing will be addressed under a separate motion and memorandum.

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22<sup>nd</sup> day of August, 2017, I caused to be served a true and correct copy of the foregoing MOTION TO DISMISS PETITION FOR DECLARATORY RULING by placing a copy thereof in the manner listed below:

1. Original to:

Director Spackman  
Idaho Department of Water Resources  
PO Box 83720  
Boise ID 83720-0098

- U.S. Mail, postage prepaid
- Hand Delivery
- Federal Express
- Email:
- Statehouse Mail

2. Copies to

Joseph F. James  
Brown & James  
130 Fourth Avenue West  
Gooding ID 83330

- U.S. Mail, postage prepaid
- Hand Delivery
- Federal Express
- Email:
- Statehouse Mail

Water District #37  
Kevin Lakey  
107 W 1<sup>st</sup>  
Shoshone ID 83352

- U.S. Mail, postage prepaid
- Hand Delivery
- Federal Express
- Email:
- Statehouse Mail

  
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ANN Y. VONDE  
Deputy Attorney General