

hear the evidence and arguments with an open mind. IDWR employees who report to the Director cannot be objective or unbiased, or have an open mind, in a hearing in which the Director's findings of fact, conclusions of law, and actions are contested. Many IDWR employees have likely been involved in preparing the Director's order, precluding their objective review of the evidence and arguments that will be presented. Such employees will also likely be fact witnesses. As a result, IDWR employees cannot provide Blue Lakes a meaningful opportunity to be heard, consistent with Blue Lakes' due process rights.

Dated this 12th day of August, 2005.

RINGERT CLARK, CHARTERED

By: 
Daniel V. Steenson
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CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of August, 2005, I served a true and correct copy of the foregoing by delivering the same to each of the following individuals by the method indicated below, addressed as follows:

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