

**J. KAHLE BECKER (ISB # 7408)**

**Attorney at Law**

223 N. 6<sup>th</sup> St., Suite 325

Boise, Idaho 83702

Phone: (208) 345-5183

Fax: (208) 906-8663

Email: [kahle@kahlebeckerlaw.com](mailto:kahle@kahlebeckerlaw.com)

Attorney for Plaintiff/Counterdefendant

**IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT**

**OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA**

JOHN HASTINGS, Jr.,  
Plaintiff/Counterdefendant,

vs.

THE STATE OF IDAHO DEPARTMENT OF  
WATER RESOURCES, a Political  
Subdivision of the STATE OF IDAHO

Defendant/Counterclaimant.

Case No. CV01-21-17825

**MOTION TO STRIKE AND  
OBJECTION TO DEFENDANT’S  
REQUEST TO TAKE JUDICIAL  
NOTICE**

COMES NOW the above-named Plaintiff/Counterdefendant, by and through his attorney of record, J. Kahle Becker, Defendant/Counterclaimant Idaho Department of Water Resources (“IDWR”) having filed certain documents into the record in violation of several stipulations of the parties in an attempt to oppose Plaintiff’s *Motion for Summary Judgment* and in support of IDWR’s *Cross Motion for Summary Judgment*, Plaintiff now Objects pursuant to the stipulations of the parties, IRE 201(e), IRE 802, 901(b)(7), and IRCP 56(c)(2) and Moves to Strike those documents and any reference to the contents thereof pursuant to IRCP 12(f)(2). This Motion is Supported by a *Memorandum in Support* and a *Declaration of Counsel* filed concurrently herewith.



**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 26<sup>th</sup> day of April, 2022, I caused to be served the foregoing Motion to Strike and Objection to Defendant's Request to Take Judicial Notice to the following persons:

Meghan Carter and Garrick Baxter  
Attorney for Defendant,  
Idaho Department of Water Resources

via I-Court/Odyssey

/s/ J. Kahle Becker  
J. KAHLE BECKER  
Attorney for the Plaintiff/Counterdefendant