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DEPARTMENT OF WATER RESOURCES

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Attorneys for Petitioners

BEFORE THE DEPARTMENT OF WATER RESOURCES OF THE STATE OF IDAHO

ALLOW ADINGS

COME NOW, Petitioners, by and through their attorney, Joseph F. James, of James Law Office PLLC, and hereby request the Director of the Department of Water Resources ("Director") issue an order allowing amendment to Petitioner's Petition for Hearing, and Petition for Declaratory Ruling as set forth in Petitioner's First Amended Petition for Hearing, and Petition for Declaratory Ruling, dated September 8, 2015. This motion is brought pursuant to Rule 305 of Rules of Procedure of the Idaho Department of Water Resources which provides in part as follows:

The presiding officer may allow any pleading to be amended or corrected or any omission to be supplied. Pleadings will be liberally construed, and defects that do not affect substantial rights of the parties will be disregarded.

IDAPA 37.01.01.305.

This motion is brought upon the grounds that in the introductory paragraph, the Petition for Hearing, and Petition for Declaratory Ruling incorrectly identified the order for which a hearing was being requested. The actual order for which the Petitioners are requesting a hearing is the Notice of Issuance of License No. 37-7842, issued on July 14, 2017. Said order was identified on page 6 of the Petition for Hearing, and Petition for

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Declaratory Ruling. The Petition for Hearing, and Petition for Declaratory Ruling was filed within fifteen days of Petitioners receiving notice of the July 2017 order. The First Amended Petition for Hearing, and Petition for Declaratory corrects the initial petition and sets forth the correct order for which a hearing is sought.

As further grounds for this motion, Petitioners state that they seek to amend the Petition for Hearing, and Petition for Declaratory Ruling in order to provide greater clarification as to the declaratory ruling which Petitioners seek. The First Amended Petition for Hearing, and Petition for Declaratory provides greater clarification.

DATED this 9^{7} day of September, 2017.

JAMES LAW OFFICE

Joseph F. James

CERTIFICATE OF SERVICE

I certify that on September 8, 2017, I mailed a true and correct copy, postage prepaid, of the foregoing Petitioner's Motion to Allow Amendment to the Pleadings, to the persons listed

below:

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Gary Spackman, Director Idaho Department of Water Resources P.O. Box 83720 Boise, ID 83720-0098

State of Idaho Idaho Water Resource Board P.O Box 83720 Boise, ID 83720-0098

Water District #37 Kevin Lakey 107 W. 1st Shoshone, ID 83352

Ann Y. Vonde Deputy Attorney General P.O. Box 83720 Boise, ID 83720-0010

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