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OCT 07 2011

DEPARTMENT OF
WATER RESOURCES

L. Alan Smith
Eagle Pines Water Users Association
3135 Osprey
Eagle, Idaho 83616
Telephone: 208/939-6575
Protestant

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

IN THE MATTER OF APPLICATION FOR PERMIT)
NO. 63-32576 IN THE NAME OF M3 EAGLE, LLC)
ASSIGNED TO THE CITY OF EAGLE,)
_____)
NOTICE OF CHANGE OF
WITNESS AND NOTICE TO
CANCEL DEPOSITION

The Protestants will not call Jason Smith as a witness at the October 18 – 20 Remand Hearing and the Deposition now scheduled for October 11 at 9:00 a.m. can and should be cancelled.

Dated this 7th day of October, 2011.



Alan Smith, Protestant,
Eagle Pines Water Users Association

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of October, 2011, a true and correct copy of the foregoing Notice of Change of Witness and Notice to Cancel Deposition was served on the following parties as set forth below:

Alan Smith

NOTICE OF SERVICE AND DISCOVERY

North Ada County Groundwater Users Association
John Thornton / David Head
5264 N Sky High Lane
Eagle, ID 83616

U.S. Mail
 Hand Delivered
 Overnight Mail
 Facsimile
 Email

Norman Edwards
884 W Beacon Light Road
Eagle, ID 83616

U.S. Mail
 Hand Delivered
 Overnight Mail
 Facsimile
 Email

Jeffrey C. Fereday
GIVENS PURSLEY LLP
601 West Bannock Street
PO Box 2720
Boise, ID 83701-2720

U.S. Mail
 Hand Delivered
 Overnight Mail
 Facsimile
 Email

Gary Spackman, Hearing Officer
State of Idaho
Department of Water Resources
322 E Front Street
Boise, Idaho

U.S. Mail
 Hand Delivered
 Overnight Mail
 Facsimile
 Email

Garrick L. Baxter and John W. Homan
Deputy Attorneys General, IDWR
P.O. Box 83720
Boise, Idaho 83720-0098

U.S. Mail
 Hand Delivered
 Overnight Mail
 Facsimile
 Email

City of Eagle, Bruce Smith
950 W Bannock, Suite 520
Boise, Idaho 83702

U.S. Mail
 Hand Delivered
 Overnight Mail
 Facsimile
 Email