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RECEIVED
OCT 31 2012
DEPARTMENT OF
WATER RESOURCES

Attorneys for Protestors City of Star, City of Eagle,
City of Middleton and Star Water & Sewer District

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF)	
INTEGRATED MUNICIPAL)	
APPLICATION PACKAGE)	
("IMAP") OF UNITED WATER)	PROTESTOR CITY OF EAGLE, CITY OF
IDAHO, INC. BEING A)	STAR, CITY OF MIDDLETON AND
COLLECTION OF INDIVIDUAL)	STAR WATER & SEWER DISTRICTS'
APPLICATIONS FOR)	JOINT INITIAL STATEMENT
TRANSFERS OF WATER RIGHTS)	
AND APPLICATIONS FOR)	
AMENDMENT OF PERMITS.)	
)	

COME NOW, Protestors City of Eagle, City of Star, City of Middleton and Star Water & Sewer District and here by submit their Joint Initial Statement.

1. **DOCUMENTS PRODUCED.** The parties have no response to the documents submitted. They speak for themselves. They have clarified some but not all issues.

2. **SCOPE OF HEARING.** The scope of the hearing is not clear because of questions regarding the Municipal Act, the IDWR's interpretation of the Act, and pending legislative changes to the Act. One major issue is the applicability of the information in the applications –which were filed in 2003. It will have been ten years since the filings and some of

the water rights have gone through significant changes at the SRBA. It is questionable whether the current filings are applicable, appropriate, or would comply with due process for those who are not parties. It would seem most reasonable to have updated applications submitted to give parties, the IDWR, and the public fair notice of the applications.

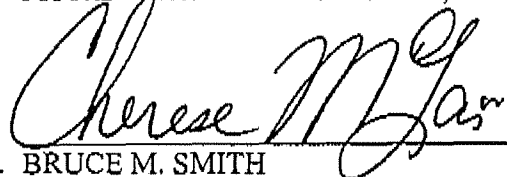
3. **RESPONSIBILITIES OF PARTIES.** Parties' responsibilities are as set forth in Idaho Code.

4. **DISCOVERY.** Discovery should be limited as much as possible and could be substantially less with updated, amended, or new applications.

5. **TIMETABLE.** The timetable depends on the scope of the hearing but it is unlikely a hearing could be accomplished before the fall 2013. The M3 hearing took about two and a half weeks and it involved matters much less complicated than IMAP.

Respectfully submitted this 31ST day of October, 2012.

MOORE SMITH BUXTON & TURCKE, CHTD.

for 
BRUCE M. SMITH
Attorneys for Protestors City of Star, City of
Eagle, City of Middleton and Star Water &
Sewer District

CERTIFICATE OF SERVICE

I hereby certify that on this 31st day of October 2012, a true and correct copy of the foregoing document was served upon the following by the method indicated below:

DOCUMENT FILED:

Idaho Department of Water Resources 322 E. Front Street P.O. Box 83720 Boise, ID 83720-0098	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Facsimile <input type="checkbox"/> Email
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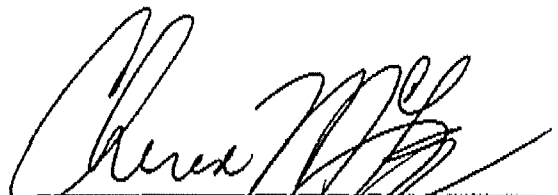
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FACSIMILE COVER SHEET

DATE: October 31, 2012 RECIPIENT'S FAX: 208-287-6700

TO: IDWR CLIENT: 1769-00

RE: IMAP

FROM: Bruce M. Smith

NUMBER OF PAGES INCLUDING THIS COVER SHEET: 7

ORIGINAL WILL NOT BE SENT
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ADDITIONAL COMMENTS:

Please file for the referenced matter for the named protestors.

Thanks
Kat Donovan
Paralegal to Bruce Smith

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