

MOORE SMITH BUXTON & TURCKE, CHARTERED

ATTORNEYS AT LAW

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FACSIMILE COVER SHEET

DATE: July 17, 2009 RECIPIENT'S FAX: 287-6700

Office of the Director

TO: IDWR CLIENT: _____

RE: In the Matter of Application for Permit No. 63-32499, In the Name of Mayfield
Townsite, LLC

FROM: Bruce M. Smith/Cathy

NUMBER OF PAGES INCLUDING THIS COVER SHEET: 6

- ORIGINAL WILL NOT BE SENT
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ADDITIONAL COMMENTS:

Please find enclosed for filing a Notice of Substitution of Counsel and Motion to Vacate
Hearing Schedule in the above referenced matter. Thank you.

Sincerely,

Cathy Minyard
Legal Assistant to Bruce M. Smith

***** IMPORTANT MESSAGE *****

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS ATTORNEY PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

*Rec'd by
fax 7/17/09*

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Attorneys for Mayfield Townsite, LLC

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION
FOR PERMIT NO. 63-32499 IN THE
NAME OF MAYFIELD TOWNSITE,
LLC.

NOTICE OF SUBSTITUTION OF
COUNSEL

PLEASE TAKE NOTICE that the law firm of Moore Smith Buxton & Turcke, Chartered is substituted as counsel of record for Mayfield Townsite, LLC in the place of Perkins Coie LLP. All future correspondence, pleadings, and inquiries should be directed to Bruce Smith, Esq. at the address noted above.

DATED: July 17, 2009

PERKINS COIE LLP

By Robert A. Maynard
Robert A. Maynard
Erika E. Malmen

DATED: _____

July 17 2009

**MOORE SMITH BUXTON & TURCKE,
CHARTERED**

By _____

Bruce M. Smith

Attorneys for Mayfield Townsite, LLC

Rec'd by fax 7/17/09

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Attorneys for John McCallum/ARK Properties LLC

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

IN THE MATTER OF APPLICATION FOR
PERMIT NO. 63-32499 IN THE NAME OF
MAYFIELD TOWNSITE, LLC

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MOTION TO VACATE
HEARING SCHEDULE

COMES NOW Mayfield Townsite LLC and requests the Department vacate the hearing schedule presently set forth in the Notice of Hearing and Order dated May 13, 2009. Mayfield has reorganized some of its efforts involving this application, including a substitution of counsel. Due to undersigned counsel's schedule and the need for time to review the files in this matter, Mayfield requests that the schedule be vacated and the Department issue a revised schedule that is acceptable to all parties.

RESPECTFULLY SUBMITTED this 17 day of July, 2009.

MOORE SMITH BUXTON & TURCKE,
CHARTERED



Bruce M. Smith
Attorney for Mayfield Townsite LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 17 day of July, 2009, I caused to be served a true and correct copy of the foregoing Motion by the method indicated below, and addressed to the following:

John Westra
Western Regional Office
IDAHO DEPARTMENT OF WATER RESOURCES
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Boise, Idaho 83705-5082

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Debbie Gibson, S.O.



BRUCE M. SMITH