

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

**IN THE MATTER OF
APPLICATION FOR TRANSFER
NO. 84698 IN THE NAME OF
MARION OGLE**

**AMENDED HEARING NOTICE /
SCHEDULING ORDER**

On February 8, 2021, Marion Ogle filed Application for Transfer No 84698 ("Application") with the Idaho Department of Water Resources ("Department"). A protest was filed by Salubria Holdings LLC.

On October 20, 2021, the Department issued *Hearing Notice/Scheduling Order* ("Order") that provided notice of a hearing to be held starting on February 1, 2022, opened discovery, and established a schedule to control the proceedings.

On January 27, 2022, the hearing officer held a status conference to discuss the status of settlement, pending prehearing motions, and to finalize hearing details. The parties informed the hearing officer that settlement negotiations were ongoing and that a request to delay the hearing could be forthcoming. On January 28, 2022, the applicant notified the hearing officer via email that the parties request the hearing be rescheduled to provide additional opportunity to continue settlement.

The hearing officer agrees to delay the hearing as requested and will hold the existing prehearing motions and extend deadlines to respond as described below.

AMENDED NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the hearing previously scheduled to begin February 1, 2022 has been RESCHEDULED.

The Department will hold a hearing in this matter on **March 1, 2022, beginning at 9:30 a.m., and continuing through March 2, 2022, as necessary, at Idaho Department of Water Resources' State Office located at 322 East Front Street, Boise, Idaho, 83720-0098.** The presiding officer at the hearing will be Nick Miller, whose mailing address is 2735 Airport Way, Boise, ID 83705-5082 and whose email address is Nick.Miller@idwr.idaho.gov.

The opportunity to attend and/or testify at the hearing via teleconference will be made available upon request.

The hearing will be held in accordance with the provisions of Chapters 2 and 17, Title 42 and Chapter 52, Title 67, Idaho Code, and the adopted Rules of Procedure of the department, IDAPA 37.01.01. Copies of the code/rules can be obtained from the department's website, www.idwr.idaho.gov, or upon request.

All parties appearing in the matter will have the opportunity to present information, examine witnesses, and provide argument on issues related to the contested application.

The hearing will be conducted in a facility that satisfies the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations to attend, participate in, or understand the conference, please notify the department at least (10) days prior to the hearing. Inquiries about scheduling, hearing facilities etc, should be directed to Denise Lauerman, at (208) 334-2190.

SCHEDULING ORDER

1. **Responses to Prehearing Motions** Answers to prehearing motions filed in this matter before the date of this order are due on or before Monday, February 14, 2022.

Dated this 31st day of January 2022.



Nick Miller
Hearing Officer

CERTIFICATE OF SERVICE

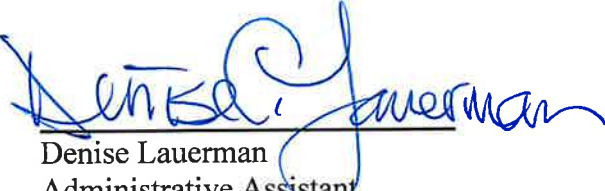
I HEREBY CERTIFY that on this 31st day of January 2022, I served a true and correct copy of the foregoing document (AMENDED HEARING NOTICE/SCHEDULING ORDER) on the following by the method(s) indicated below:

Hawley Troxell Ennis & Hawley LLP
Attn Dana L Hofstetter
Attn Tyler J Anderson
Attn Amy M J Knight
877 Main St Ste 1000
PO Box 1617
Boise ID 83701-1617
208.344.6000
dhofstetter@hawleytroxell.com
tanderson@hawleytroxell.com
aknight@hawleytroxell.com
Representative for Marion Ogle
Applicant

- ☒ U.S. Mail, Certified, postage prepaid
- ☐ U.S. Mail, postage prepaid
- ☐ Overnight Mail
- ☐ Facsimile
- ☒ Email

Givens Pursley LLP
Attn Michael P Lawrence
Attn Charlie S Baser
601 W Bannock St
PO Box 2720
Boise ID 83701-2720
208.388.1200
mpl@givenspursley.com
csb@givenspursley.com
Attorney for Salubria Holdings LLC
Protestant

- ☒ U.S. Mail, Certified, postage prepaid
- ☐ U.S. Mail, postage prepaid
- ☐ Overnight Mail
- ☐ Facsimile
- ☒ Email


Denise Lauerman
Administrative Assistant