

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

IN THE MATTER OF APPLICATION)	
FOR TRANSFER NO. 84902 IN THE)	
NAME OF SILVER SAGE)	NOTICE OF HEARING AND
<u>OWNERS ASSOCIATION INC.</u>)	SCHEDULING ORDER

NOTICE OF HEARING

On April 21, 2021, Silver Sage Owners Association Inc. filed Application for Transfer 84902 with the Idaho Department of Water Resources (department). A protest was filed by Idaho Water Resource Board.

On November 2, 2021, the department conducted a pre-hearing conference. On January 13, 2022, the department conducted a status conference. The parties requested that an administrative hearing be held to decide this contested case. The department has scheduled this matter for hearing on **April 28-29, 2022**, beginning at **9:00 am** at the **Kramer Judicial Building, District Courtroom 1, 206 Second Ave. South, Hailey, ID 83333**.

The presiding officer at the hearing will be James Cefalo, whose mailing address is 900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718.

The hearing will be held in accordance with the provisions of Chapters 2 and 17, Title 42 and Chapter 52, Title 67, Idaho Code, the department's Rules of Procedure (IDAPA 37.01.01), and the department's Water Appropriation Rules (IDAPA 37.03.08). A copy of the code and rules may 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 in order to attend, participate in, or understand the conference, please notify the department at least (10) days prior to the hearing. Inquiries about scheduling or hearing facilities should be directed to Christina Henman at (208) 525-7161.

SCHEDULING ORDER

1. Discovery may begin immediately. Discovery responses must be served on the requesting party within 30 days of the discovery request. Discovery requests shall be filed on or before January 28, 2022. Discovery responses shall be filed no later than February 18, 2020.
2. Any party who intends to call an expert witness during the hearing must file an expert report. Expert reports shall be served on the other parties and the hearing officer on or before February 25, 2022. Parties may not file rebuttal expert reports.
3. Depositions of witnesses may be taken in accordance with Rule 523 (IDAPA 37.01.01) and shall be completed on or before March 25, 2022.
4. Dispositive motions, if any are filed, must be filed on or before March 18, 2022. Consistent with Rule 270.02 (IDAPA 37.01.01), response briefs shall be filed within 14 days after the original motion. Reply briefs are not allowed.
5. On or before April 14, 2022, each party shall disclose to all other parties and the hearing officer, in writing, the identity of all witnesses that may testify for the party at the hearing.
6. On or before April 14, 2022, each party seeking to offer exhibits at the hearing shall serve on all parties and the hearing officer copies of all exhibits which may be offered at the hearing. Service of the proposed exhibits will be the method of providing copies to the parties as required by Rule 606 of the department's Rules of Procedure (IDAPA 37.01.01).
7. To avoid duplication of exhibit numbers, the parties should use the following numbers for their proposed exhibits:

Applicant Silver Sage Owners Association:
Protestant Water Resource Board:

Exhibits 1 – 100
Exhibits 101 – 200

Dated this 24th day of January, 2022.



James Cefalo
Hearing Officer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of January 2022, true and correct copies of the documents described below were served by placing a copy of the same with the United States Postal Service, certified mail with return receipt requested, postage prepaid and properly addressed to the following:

Document Served: Notice of Hearing and Scheduling Order

CERTIFIED MAIL Application for Transfer No. 84902

SILVER SAGE OWNER'S ASSOCIATION
PO BOX 331
HAILEY, ID 83333

BROCKWAY ENGINEERING
C/O ZACH LATHAM
2016 WASHINGTON ST. STE #4
TWIN FALLS, ID 83301

ALTURAS LAW GROUP PLLC
C/O SAMUAL LINNET
101 BULLION ST, UNIT 2H
HAILEY, ID 83333

WATER RESOURCE BOARD
C/O CYNTHIA CLARK
322 FRONT ST.
PO BOX 83720
BOISE, ID 83720

ANN VONDE
OFFICE OF ATTORNEY GENERAL
P.O. BOX 83720
BOISE ID 83720-0010



Christina Henman
Administrative Assistant