

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

**IN THE MATTER OF APPLICATION)
FOR TRANSFER NO. 83485 IN THE)
NAME OF ECCLES FLYING HAT)
RANCH LLC)**

**REVISED SCHEDULING ORDER
AND NOTICE OF HEARING**

On November 16, 2021, the Idaho Department of Water Resources (“Department”) held a pre-hearing status conference to discuss pre-hearing motions and other scheduling matters. At that conference, it was decided to postpone the evidentiary hearing from the tentative dates of January 12-13, 2022, to allow for filing of and decisions on pre-hearing motions. On December 6, 2021, the Hiawatha Canal Water Users’ Association of Lateral or Laterals (“Hiawatha Canal Water Users”) filed a Motion in Limine. Finding good cause, pursuant to IDAPA 37.01.01.513, it is ORDERED that the following revised schedule will be followed in this matter.

REVISED SCHEDULING ORDER

1. **Pre-Hearing Motions.** On or before **January 25, 2022**, all pre-hearing motions must be filed.
2. **Witness List Exchange.** On or before **February 8, 2022**, each party must disclose to all other parties and the Hearing Officer, in writing, the identity of all witnesses that will or may testify for the party at the evidentiary hearing.
3. **Exhibit Exchange.** On or before **February 8, 2022**, each party seeking to offer exhibits at the evidentiary hearing shall serve the pre-numbered exhibits upon the other party and file two physical copies of the exhibits with the Department. Service of the proposed exhibits will satisfy IDAPA 37.01.01.606. Eccles Flying Hat Ranch LLC’s exhibits shall be numbered between 1 and 99. Hiawatha Canal Water Users’ exhibits shall be numbered between 100 and 199. If the Department takes notice of any documents, those documents will be numbered between 200 and 300.
4. **Hearing.** The evidentiary hearing in this matter will be held **February 22 – February 23, 2022**.

NOTICE OF HEARING

The Department has scheduled the matter for a hearing on **Tuesday, February 22, 2022, beginning at 9:00 a.m. and continuing through Wednesday, February 23, 2022, as necessary, at TWIN FALLS COUNTY WEST, CONFERENCE ROOM ‘B’ located on the first floor, 630 ADDISON AVE W, TWIN FALLS, ID 83301.**

The presiding officer at the hearing will be Hearing Officer Angela Hansen, whose mailing address is 322 E. Front St., Boise, ID 83720 and whose email address is Angela.Hansen@idwr.idaho.gov.

The hearing will be held in accordance with provisions of Chapter 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 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 which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the evidentiary hearing, please notify the Department at least (10) days prior to the hearing. Inquiries about scheduling, hearing facilities, etc., should be directed to Denise Maline, at (208) 736-3033.

Dated this 4th day of January, 2022.


Angela M. Hansen
Hearing Officer

CERTIFICATE OF SERVICE

I hereby certify that on January 4th, 2022, I mailed a certified true and correct copy, postage prepaid, of the foregoing **REVISED SCHEDULING ORDER AND NOTICE OF HEARING** to the person (s) listed below:

RE: TRANSFER NO 83485

**ECCLES FLYING HAT RANCH LLC
PO BOX 3028
SALT LAKE CITY UT 84110-3028**

**BROCKWAY ENGINEERING PLLC
C/O ERICK POWELL
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301-3082**

**EVAN ROBERTSON
ROBERTSON & SLETTE
PO BOX 1906
TWIN FALLS ID 83301-1906**

**HIAWATHA CANAL WATER USERS ASSN
C/O FRITZ X HAEMMERLE
HAEMMERLE LAW PLLC
PO BOX 1800
HAILEY ID 83333-1800**



Jean Hersley
Technical Records Specialist II