

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

IN THE MATTER OF APPLICATION FOR) TRANSFER NO. 84788 IN THE NAME OF) <u>GROUSE CREEK RESERVE LLC</u>)	NOTICE OF HEARING AND SCHEDULING ORDER
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NOTICE OF HEARING

On March 11, 2021, Grouse Creek Reserve LLC filed Application for Transfer 84788 with the Idaho Department of Water Resources (department). Protests were filed by Kyle Hansen, Ronald D. Hansen, Dennis D. Craig, Rodney Barnes and Gary L. Hansen.

On June 21, 2021, the department conducted a pre-hearing conference. The parties requested that an administrative hearing be held to decide this contested case. The department has scheduled this matter for hearing on **October 14, 2021 at 9:00 am at the Teton County Courthouse Commissioners Room; 150 Courthouse Dr., Driggs, ID.**

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 must be filed on or before July 30, 2021.
2. Any party who intends to call an expert witness during the hearing must file an expert report. Expert reports must be served on the other parties and the hearing officer on or before August 27, 2021.
3. Dispositive motions must be filed on or before September 10, 2021.
4. On or before September 30, 2021, each party must 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.
5. On or before September 30, 2021, 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).
6. To avoid duplication of exhibit numbers, the parties should use the following numbers for their proposed exhibits:

Applicant Grouse Creek Reserve:	Exhibits 1 – 100
Protestant Kyle Hansen:	Exhibits 101 – 150
Protestant Ronald Hansen:	Exhibits 151 – 200
Protestant Dennis Craig:	Exhibits 201 – 250
Protestant Rodney Barnes:	Exhibits 251 – 300
Protestant Gary Hansen:	Exhibits 301 – 350

Dated this 19th day of July, 2021.



James Cefalo
Hearing Officer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of July, 2021, 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. 84788

GROUSE CREEK RESERVE LLC
180 S LAKE AVENUE, SUITE 405
PASADENA, CA 91104-4711

ROBERT HARRIS
HOLDEN KIDWELL HAHN & CRAPO PLLC
1000 RIVERWALK DRIVE, SUITE 200
PO BOX 50130
IDAHO FALLS, ID 83405

ROCKY MOUNTAIN ENVIRONMENTAL ASSOC INC
C/O KRISTIN MOORE
482 CONSTITUTION WAY, SUITE 303
IDAHO FALLS, ID 83402-3552

KYLE HANSEN
6345 N 500 W
TETONIA, ID 83452

RONALD D HANSEN
6935 N 500 W
TETONIA, ID 83452

DENNIS CRAIG
PO BOX 8
TETONIA, ID 83452

RODNEY BARNES
PO BOX 1054
DRIGGS, ID 83422

GARY HANSEN
C/O BRIAN HANSEN
335 PARKER DRIVE
FOLSOM, CA 95630



Christina Henman
Administrative Assistant