

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

**IN THE MATTER OF APPLICATION)
FOR TRANSFER 84270 IN THE NAME)
OF ELAINE R. SORENSEN)**

**NOTICE OF HEARING AND
SCHEDULING ORDER**

NOTICE OF HEARING

On July 21, 2020, Elaine R. Sorensen ("Sorensen") filed Application for Transfer 84270 with the Idaho Department of Water Resources (department). The application was protested by Joel Andersen, Cindy Archer, Lenard Van Eps, Matea McCray & Karon Huggins, and Jerry Browne.

The department conducted a pre-hearing conference on October 27, 2020. The parties requested that an administrative hearing be held to decide the case. The department has scheduled this contested case for a hearing to be held on **Wednesday, February 17, 2021, beginning at 9:00 am, at the Arco-Butte Business Incubation Center, 159 N Idaho Street, Arco, Idaho and continuing through February 18, 2021, as needed.**

The presiding officer at the hearing will be James Cefalo, whose mailing address is 900 N. Skyline Dr., Ste 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 served on or before November 18, 2020. Responses shall be filed on or before December 18, 2020.
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 January 15, 2021.
3. Dispositive motions must be filed on or before January 22, 2021.
4. On or before February 3, 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 February 3, 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 exhibit numbers for their proposed exhibits:

Applicant Sorensen:	Exhibits 1 – 100
Protestant Andersen:	Exhibits 101 – 200
Protestants McCray/Huggins:	Exhibits 201 – 300
Protestant Archer:	Exhibits 301 – 400
Protestant Van Eps:	Exhibits 401 – 500

Dated this 2nd day of November, 2020.



James Cefalo
Hearing Officer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of November, 2020, 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
for Application for Transfer 84270

Elaine Sorensen
3871 W 2500 N
Moore, ID 83255

Luke Marchant
Holden Kidwell Hahn & Crapo
1000 Riverwalk Drive, Suite 200
Idaho Falls, ID 83405

Jerry Browne
3041 N 3350 W
Moore, ID 83255

Cindy Archer
PO Box 463
Moore, ID 83255

Matea McCray or Karon Huggins
3470 Cobblestone Lane
Idaho Falls, ID 83404

Lenard Van Eps
3340 W 3000 N
Moore, ID 83255

Jim Speck
Speck & Aanestad
PO Box 987
Ketchum, ID 83340



Christina Henman
Administrative Assistant