

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

**IN THE MATTER OF APPLICATION)
FOR TRANSFER 83745 IN THE NAME)
OF SUNSET FARM & RANCH LLC)**

**NOTICE OF HEARING AND
SCHEDULING ORDER**

NOTICE OF HEARING

On November 6, 2019, Sunset Farm & Ranch LLC ("Sunset") filed Application for Transfer 83745 with the Idaho Department of Water Resources (department). Sunset filed an amended application on July 15, 2020. The application was protested by Karon Huggins, Larry Quist and Young Harvey Walker.

The department conducted a pre-hearing conference on October 26, 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 **Thursday, February 4, 2021, beginning at 9:00 am, at the Arco-Butte Business Incubation Center, 159 N Idaho Street, Arco, Idaho and continuing through February 5, 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 responses must 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 8, 2021.
3. Dispositive motions must be filed on or before January 8, 2021.
4. On or before January 21, 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 January 21, 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 Sunset:	Exhibits 1 – 100
Protestant Huggins:	Exhibits 101 – 200
Protestant Quist:	Exhibits 201 – 300
Protestant Walker:	Exhibits 301 – 400

Dated this 2nd day of November 2019.



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 83745

Sunset Farm & Ranch LLC
PO Box 827
Arco, ID 83213

Robert Harris
Holden Kidwell Hahn & Crapo
1000 Riverwalk Drive, Suite 200
Idaho Falls, ID 83405

Young Harvey Walker
2338 N 2930 W
Arco, ID 83213

Larry Quist
2210 N 2900 W
Arco, ID 83213

Karon Huggins
c/o Matea McCray
3470 Cobblestone Lane
Idaho Falls, ID 83404



Christina Henman
Administrative Assistant