

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

**IN THE MATTER OF APPLICATION    )  
FOR PERMIT NO. 11-7863 IN THE    )  
NAME OF NOVA JONES, LLC        )**

**NOTICE OF HEARING AND  
SCHEDULING ORDER**

**NOTICE OF HEARING**

On April 16, 2020, Nova Jones, LLC filed Application for Permit No. 11-7863 with the Idaho Department of Water Resources ("Department"). The application was protested by PacifiCorp and Bear Lake Watch, Inc. The department conducted a prehearing conference on July 21, 2020. During the conference, the parties requested that an administrative hearing be held to resolve the protested matter.

**The department has scheduled the matter for a hearing beginning at 9:00 a.m. on October 20, 2020 at the Oregon Trail Center, located at 320 N 4<sup>th</sup> St. in Montpelier, Idaho.**

The hearing officer for the department will be James Cefalo, whose mailing address is 900 N Skyline Dr., Suite A, Idaho Falls, ID 83402 and whose email address is james.cefalo@idwr.idaho.gov.

The hearing will be held in accordance with the provisions of Chapters 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 are 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) 497-3793.

## SCHEDULING ORDER

1. General discovery shall begin immediately. Discovery requests are limited to interrogatories, requests for documents, and depositions. Responses shall be served on the requesting parties within 30 days of the request. Written discovery requests shall be served on or before August 21, 2020. General discovery will close on September 25, 2020.
2. Expert reports shall be served on opposing parties and the hearing officer on or before September 4, 2020. Rebuttal reports, if prepared, shall be served on opposing parties and the hearing officer on or before September 18, 2020.
3. On or before October 9, 2020, each party must disclose to all other parties and the hearing officer the identity of all witnesses that may testify for the party at the hearing.
4. On or before October 9, 2020, each party seeking to offer exhibits at the hearing must serve on all other parties and the hearing officer copies of the proposed exhibits. Service of the proposed exhibits will satisfy Rule 606 of the Rules of Procedure. To avoid duplication of exhibit numbers, Applicant shall use exhibit numbers 1-100. Protestant PacifiCorp shall use exhibit numbers 101-200. Protestant Bear Lake Watch shall use exhibit number 201-300.

Dated this 22<sup>nd</sup> day of July, 2020.



James Cefalo  
Hearing Officer

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22<sup>nd</sup> day of July 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, postage prepaid and properly addressed to the following:

### **NOTICE OF HEARING AND SCHEDULING ORDER – APPLICATION 11-7863**

ROBERT HARRIS  
PO BOX 50130  
IDAHO FALLS, ID 83405


BEAR LAKE WATCH  
DAVID & CLAUDIA COTTLE  
4544 HWY 89  
FISH HAVEN, ID 83287

BUFFI MORRIS  
PACIFICORP  
1407 W. NORTH TEMPLE, STE 110  
SALT LAKE CITY, UT 84116

### **Courtesy copy sent via regular mail to:**

NOVA JONES, LLC  
1000 SOUTH MAIN ST, STE 104  
SALT LAKE CITY, UT 84101

LANCE ANDERSON  
95 GOLF COURSE RD #101  
LOGAN, UT 84321

  
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Christina Henman  
Administrative Assistant