

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

IN THE MATTER OF APPLICATION)	
FOR PERMIT NO. 67-15333 IN THE)	AMENDED NOTICE OF HEARING
DOUBLE C & J LAND CO.)	AND AMENDED SCHEDULING ORDER
_____)	

BACKGROUND

On October 23, 2019, Double C & J Land Co. filed Application for Permit No. 67-15333 with the Idaho Department of Water Resources ("Department"). Eckhardt Family LLLP and the United States Department of Interior Bureau of Land Management protested the application before the November 25, 2019, close of the protest period. The Department held a prehearing conference on March 5, 2020. The parties have requested a formal hearing to resolve the protested matter. The Department scheduled the hearing for June 11, 2020. On May 12, 2020, the Department adopted a plan ("plan") to comply with the business protocols in *Idaho Rebounds: Our Path to Prosperity*, Idaho's plan for reestablishing economic and social activities in Idaho. The plan limits gatherings at Department offices to ten people or fewer during the period when the hearing was scheduled to be conducted. After conferring with the parties by email about options for limiting participation at the hearing, the Department amends the hearing notice and scheduling order as follows:

NOTICE OF HEARING

The Department has scheduled the matter for a hearing beginning at 9:00 a.m. on June 29, 2020, at the Idaho Department of Water Resources offices at 322 E. Front St., 6th Floor, Boise, ID 83720. The hearing will continue at the same location on June 30, 2020, if needed.

The presiding officer at the hearing will be Shelley W. Keen, whose mailing address is P.O. Box 83720, Boise, ID 83720-0098 and whose email address is Shelley.Keen@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 Department's Rules of Procedure (IDAPA 37.01.01), and the Water Appropriation Rules (IDAPA 37.03.08). Copies of the code/rules are available from the Department's website, www.idwr.idaho.gov, or upon request.

All parties appearing in the matter will have the opportunity to present evidence and testimony, examine witnesses, and provide legal argument on issues related to the contested application.

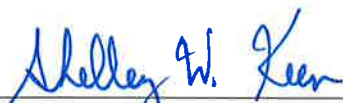
The hearing will be conducted in a facility that satisfies the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in, or understand the conference, please notify the department at least (10) days prior to the hearing. Direct inquiries about scheduling, hearing facilities, etc., to Jean Hersley at (208) 287-4942.

AMENDED SCHEDULING ORDER

1. General discovery began on March 5, 2020, and shall end on May 8, 2020.
2. Responses to discovery must be served on the requesting party within 30 days of the request. All responses to discovery shall be served on or before the end of the discovery period.
3. Written requests for discovery shall be either interrogatories or requests for documents.
4. Expert reports shall be served on all other parties and the hearing officer on or before May 1, 2020. Rebuttal reports, if prepared, shall be served on all other parties and the hearing officer on or before May 15, 2020.
5. Depositions must be completed on or before May 8, 2020.
6. On or before June 15, 2020, each party must disclose to all other parties and the hearing officer, in writing, the identity of all witnesses who will or may testify for the party at the hearing.
7. On or before June 15, 2020, each party seeking to offer exhibits at the hearing must physically serve on all other parties and the hearing officer copies of the exhibits. Service of the proposed exhibits will satisfy Rule 606 of the Rules of Procedure. Applicant's exhibits shall be numbered consecutively starting at 1 and ranging up to 99. Protestant Eckhardt's exhibits shall be numbered consecutively starting at 100 and ranging up to 199. Protestant BLM's exhibits shall be numbered consecutively starting at 200 and ranging up to 299.
8. Prehearing motions, including dispositive motions, must be filed by June 8, 2020.
9. To avoid duplication of exhibits, pursuant to Rule 602 of the Department's Rules of Procedure (IDAPA 37.01.01), the hearing officer will officially notice the following documents from the application file and Department records. For ease of reference, these documents have been assigned the following exhibit numbers:

IDWR1	Application for Permit 67-15333 (October 23, 2019)
IDWR2	Notice of Protest – Eckhardt Family LLLP.
IDWR3	Notice of Protest – United States Department of the Interior Bureau of Land Management
IDWR4	Affidavit of Publication for Application for Permit 67-15333 (Weiser Signal American No. 1411)

Dated this 19th day of May 2020.



Shelley W. Keen
Hearing Officer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of May 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:


Documents Served: Amended Notice of Hearing and Amended Scheduling Order

CHRIS M. BROMLEY
MC HUGH BROMLEY PLLC
380 S 4TH ST STE 103
BOISE, ID 83702

NORMAN M. SEMANKO
PARSONS BEHLE & LATIMER
800 W MAIN ST STE 1300
BOISE ID 83702

AARON M. WORTHEN
PARSONS BEHLE & LATIMER
350 MEMORIAL DR STE 300
IDAHO FALLS ID 83402

UNITED STATES DEPARTMENT OF INTERIOR
BUREAU OF LAND MANAGEMENT
c/o FREDRIC W PRICE
1387 SOUTH VINNELL WAY
BOISE, IDAHO 83709-1657


Jean Hersley
Technical Records Specialist II