

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

IN THE MATTER OF APPLICATION	)	
FOR TRANSFER NO. 82613 IN THE	)	
<u>NAME OF THE CITY OF WESTON</u>	)	NOTICE OF HEARING AND SCHEDULING ORDER

NOTICE OF HEARING

On August 6, 2018, the City of Weston filed Application for Transfer No. 82613 with the Idaho Department of Water Resources ("department"). A protest was filed by Jay Norman Fannesbeck.

The department conducted a pre-hearing conference on November 28, 2018. The applicant requested an administrative hearing be held to decide this contested case.

The department has scheduled this matter for hearing on **February 28, 2019, beginning at 10:00 AM, at the Franklin County Ag Extension Office, 561 W Oneida, Preston, Idaho.**

The presiding officer at the hearing will be Cynthia Bridge Clark, 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 Sharla Cox at (208) 525-7161.

SCHEDULING ORDER

1. On or before February 14, 2019, 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.

2. On or before February 14, 2019, 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.
3. In order to avoid duplication of exhibits, the department has identified certain documents from the application file as proposed exhibits for the hearing. The hearing officer will bring a copy of these proposed exhibits to the hearing. The parties need not include these documents as part of their exhibit lists.

IDWR #1:	Application for Transfer (10 pages)	
IDWR #2:	Notice of Protest from Jay Norman Fannesbeck	
IDWR #3:	Proof Report for the following water right:	
	13-7453	City of Weston
	13-4070	City of Weston

Dated this 14th day of December, 2018.



for Cynthia Bridge Clark
Hearing Officer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of December, 2018, 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. 82613

City of Weston
293 S 2nd E
PO Box 68
Weston ID 83286

Steve Fuller
Fuller & Fuller PLLC
24 N State Street
Preston ID 83236

Sunrise Engineering Inc
Steven Wood
26 S Main
Smithfield UT 84335

Jay Norman Fannesbeck
6022 W Hwy 36
Weston ID 83286



Sharla Cox
Administrative Assistant