

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

IN THE MATTER OF APPLICATION FOR)	
TRANSFER NO. 82318 IN THE)	NOTICE OF HEARING AND
NAME OF TELFORD LANDS LLC,)	SCHEDULING ORDER
<u>MICHAEL AND SHANNON TELFORD)</u>	

NOTICE OF HEARING

On April 24, 2018, Telford lands LLC, Michael and Shannon Telford filed Application for Transfer No. 82318 with the Idaho Department of Water Resources (department). Protests were filed against the application by Big Lost River Irrigation District represented by Kent Fletcher of Fletcher Law Office, City of Arco represented by Steve L Stephens of Stephens Law Office, Young H Walker, Joel Anderson and Darrell E. McDonald. On June 29, 2018, a petition to intervene was filed by Arco Water Conservation and Recreation Committee. City of Arco withdrew its protest on October 10, 2018 and Big Lost River Irrigation District withdrew its protest on November 16, 2018.

The department conducted a pre-hearing conference on August 28, 2018, and conducted a status conference on December 4, 2018. The parties have requested that an administrative hearing be held to decide this contested case.

The department has scheduled this matter for hearing on **March 6 and 7, 2019, beginning at 9:30 AM, at the Arco Butte Business Center, 150 N. Idaho Ave., Arco, Idaho.**

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 Sharla Cox at (208) 525-7161.

SCHEDULING ORDER

1. General discovery commenced on December 4, 2018.
2. Written discovery may be interrogatories and/or requests for production. Parties shall not propound more than twenty-five interrogatories on another party. Interrogatories shall not be divided into sub-parts or sub-questions. Discovery requests shall be served on or before January 4, 2019.
3. Answers to written discovery must be served on the requesting party within thirty days of service of the request. All responses to discovery shall be served on or before January 25, 2019.
4. On or before February 1, 2019, each party must disclose to all other parties and the hearing officer a copy of any expert report which will be offered for admission into the evidentiary record at hearing.
5. On or before February 22, 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.
6. On or before February 22, 2019, each party must disclose to all other parties and the hearing officer in writing the identity of all witnesses that will or may testify for the party at the hearing.
7. In attempt to reduce the number of duplicate exhibits offered by the parties at hearing, the department has assigned exhibit numbers to the following documents from the application file.

IDWR #1:	Application for Transfer 82318 with attachments (30 pages)
IDWR #2:	Motion to Intervene from Arco Water Conservation and Rec Committee
IDWR #3:	Protest from Young H. Walker
IDWR #4:	Protest from Joel S. Andersen
IDWR #5:	Protest from Darrell E. McDonald with attachments (2 pages)
IDWR #6:	Withdrawal of Protest from City of Arco
IDWR #7:	Withdrawal of Protest from Big Lost River Irrigation District
IDWR #9:	Water right reports for rights 34-2401A, 34-2459, 34-2460, 34-2461, 34-2462, 34-4015, 34-7037, 34-7138, 34-10925.

Dated this 5th day of December, 2018.



James Cefalo
Hearing Officer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th 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

Order Denying Motion to Proceed to Hearing without IDWR Technical Memo

CERTIFIED MAIL Application for Transfer No. 82318

Telford Lands LLC
Michael and Shannon Telford
1450 W Highway 24
Paul ID 83347

Holden Kidwell Hahn & Crapo
Robert L Harris
PO Box 50130
Idaho Falls ID 83405-0130

Young H Walker
2338 N 2930 W
Arco ID 83213

Joel Anderson
2781 N 3375 W
Moore ID 83255

Jim Speck
Speck & Aanestad
PO Box 987
Ketchum ID 83349

Darrell E McDonald
PO Box 102
Arco ID 83213

Arco Water Conservation
and Recreation Committee
Rose Bernal, Committee Chair
410 N East St
Arco ID 83213



Shana Cox
Administrative Assistant