

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

IN THE MATTER OF APPLICATIONS FOR) TRANSFER NO. 82076, 82369 AND 82437 IN) <u>THE NAME OF KINPORT MANAGEMENT</u>)	NOTICE OF RESCHEDULED HEARING AND AMENDED SCHEDULING ORDER
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NOTICE OF RESCHEDULED HEARING

NOTICE IS HEREBY GIVEN that the Department will hold a hearing in this matter on **February 11, 2019 beginning at 1:00 PM and February 12, 2019, beginning at 9:30 AM, at the Idaho Department of Fish & Game, 1345 Barton Rd, Pocatello, 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 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, 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.

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.

AMENDED SCHEDULING ORDER

1. General discovery commenced on October 2, 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 November 16, 2018.
3. Answers to written discovery must be served on the requesting party within thirty days of service of the request. Written discovery shall close on December 15, 2018.
4. On or before January 22, 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 January 28, 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.

6. On or before January 28, 2019, each party seeking to offer exhibits at the hearing, including any rebuttal expert reports, 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.
7. In an 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 82076
IDWR #2:	Application for Transfer 82369
IDWR #3:	Application for Transfer 82437
IDWR #4:	Notice of Protest from Cripple Creek LLC
IDWR #5:	Notice of Protest from Jerre Evans
IDWR #6:	Notice of Protest from Ranae Meyers
IDWR #7:	Notice of Protest from Kevin North
IDWR #8:	Water right reports for rights 29-2565, 29-14242 and 29-2470

Dated this 7th day of November, 2018.



James Cefalo
Hearing Officer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of November, 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 Rescheduled Hearing and Amended Scheduling Order

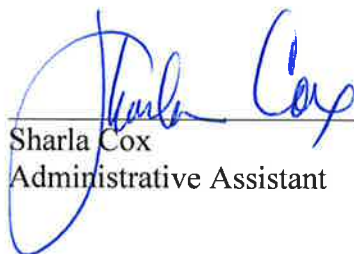
CERTIFIED MAIL Applications for Transfer No. 82076, 82369 and 82437

Thomas J. Budge
Racine Olson Nye Budge & Bailey
PO Box 1391
Pocatello ID 83204-1391

Cripple Creek LLC
Jerre Evans
Ranae Meyers
Kevin North
Jerry Rigby
Rigby Andrus & Rigby
PO Box 250
Rexburg ID 83440-0250

REGULAR MAIL

Richard Curry
Water District 290
4363 Arbon Hwy
Arbon ID 83213



Sharla Cox
Administrative Assistant