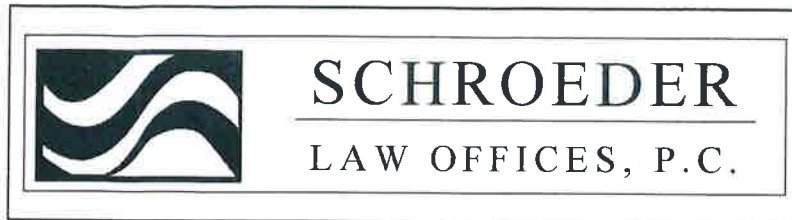


Laura A. Schroeder
Oregon, Idaho,
Nevada, Washington & Utah

Therese A. Ure
Oregon & Nevada

Sarah R. Liljefelt
Oregon,
California & Utah

William F. Schroeder
(1928 - 2015)



Lindsay M. Thane
Oregon, Washington & Montana
Patrick B. T. Mansfield
Nevada

Wyatt E. Rolfe
Of Counsel
Oregon & Washington

James Browitt
Of Counsel
Idaho & Washington

September 19, 2018

RECEIVED
SEP 24 2018

DEPARTMENT OF
WATER RESOURCES

RECEIVED
OCT 01 2018

Department of Water Resources
Eastern Region

VIA U.S. MAIL AND FACSIMILE

Idaho Department of Water Resources
Eastern Regional Office
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-1718
Facsimile: (208) 525-7177

Idaho Department of Water Resources
State Office
322 East Front Street
Boise, ID 83702-0098
Facsimile: (208) 287-6700

**RE: Matter of Transfer Application 81155: Motion for Scheduling Order:
Discovery**

To Whom It May Concern:

Enclosed please find Spartan Portneuf, LLC's *Motion for Scheduling Order: Discovery* and *[Proposed] Order: Discovery* for filing in the above-referenced matter.

If you have any questions, please contact our office at (503) 281-4100. Thank you in advance for your cooperation and assistance.

Very truly yours,
SCHROEDER LAW OFFICES, P.C.

Rachel S. Harman
Paralegal

RSH:rsh

Enclosures

cc: Service List
Client

1915 NE Cesar E. Chavez Boulevard, Portland, Oregon 97212 (503) 281-4100

10615 Double R Boulevard, Suite 100, Reno, Nevada 89521 (775) 786-8800

www.water-law.com counsel@water-law.com

RECEIVED

SEP 24 2018

DEPARTMENT OF
WATER RESOURCES

Laura A. Schroeder, ESQ (ISB #3799)
James Browitt (ISB #9016)
Schroeder Law Offices, P.C.
1915 N.E. Cesar E. Chavez Boulevard
Portland, Oregon 97212
PHONE – (503) 281-4100 FAX – (877) 600-4971
counsel@water-law.com

Attorneys for Protestant

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

IN THE MATTER OF APPLICATION
FOR TRANSFER NO. 81155 IN THE
NAME OF CITY OF POCA TELLO

MOTION FOR SCHEDULING ORDER:
DISCOVERY

MOTION

Protestant Spartan Portneuf, LLC (“Spartan Portneuf”), by and through Schroeder Law Offices, P.C., and its attorneys, hereby moves the Idaho Department of Water Resources (“Department”) for an Order scheduling the deadlines and procedure for discovery in the above-captioned matter.

Spartan Portneuf specifically moves the Department to order the following:

1. General discovery to commence on September 20, 2018.
2. Written discovery may be interrogatories and/or requests for production. Parties shall not propound more than twenty-five (25) interrogatories on another party. Interrogatories shall not be divided into sub-parts or sub-questions. Discovery requests shall be served on or before October 22, 2018.

///

///

///



1 3. Answers to written discovery must be served on the requesting party within thirty
2 (30) days of service of the request. All responses to discovery shall be served on or
3 before November 21, 2018.

4 DATED this 19th day of September, 2018.

5 SCHROEDER LAW OFFICES, P.C.
6

7 
8

9
10 _____
11 Laura A. Schroeder
12 James Browitt

13 *Attorneys for Protestant*
14
15
16
17
18
19
20
21
22
23
24
25
26

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of September, 2018, I caused a true and correct copy of the *MOTION FOR SCHEDULING ORDER: DISCOVERY* to be delivered to the following by U.S. Mail and Facsimile.

Idaho Department of Water Resources
Eastern Regional Office
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-1718
Facsimile: (208) 525-7177

Idaho Department of Water Resources
State Office
322 East Front Street
Boise, ID 83702-0098
Facsimile: (208) 287-6700

I HEREBY CERTIFY that on this 19th day of September, 2018, I caused a true and correct copy of the *MOTION FOR SCHEDULING ORDER: DISCOVERY* to be delivered to the following by U.S. Mail and Electronic Mail.

Kirk Bybee
City of Pocatello
P.O. Box 4169
Pocatello, ID 83201
Email: kibybee@pocatello.us

Sarah A. Klahn
Somach Simmons & Dunn
2701 Lawrence Street, Suite 113
Denver, CO 80205
Email: sklahn@somachlaw.com



Laura A. Schroeder, ESQ (ISB #3799)
James Browitt (ISB #9016)
Schroeder Law Offices, P.C.
1915 N.E. Cesar E. Chavez Boulevard
Portland, Oregon 97212
PHONE – (503) 281-4100
FAX – (877) 600-4971
counsel@water-law.com



1
2
3 **BEFORE THE DEPARTMENT OF WATER RESOURCES**
4 **OF THE STATE OF IDAHO**
5

6 IN THE MATTER OF APPLICATION
7 FOR TRANSFER NO. 81155 IN THE
8 NAME OF CITY OF POCA TELLO

ORDER: DISCOVERY

9 This matter came before the Idaho Department of Water Resources ("Department") by
10 motion of Protestant Spartan Portneuf, LLC ("Spartan Portneuf"), by and through Schroeder Law
11 Offices, P.C., and its attorneys.

12 The Department having considered the motion,

13 IT IS HEREBY ORDERED that the Motion for Scheduling Order is GRANTED as
14 follows:

- 15 1. General discovery shall commence on September 20, 2018.
- 16 2. Written discovery may be interrogatories and/or requests for production. Parties shall
17 not propound more than twenty-five (25) interrogatories on another party.
- 18 Interrogatories shall not be divided into sub-parts or sub-questions. Discovery
19 requests shall be served on or before October 22, 2018.

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

3. Answers to written discovery must be served on the requesting party within thirty (30) days of service of the request. All responses to discovery shall be served on or before November 21, 2018.

DATED this ____ day of _____, 2018.

James Cefalo
Hearing Officer

Submitted by:

Laura A. Schroeder, ESQ (ISB #3799)
James Browitt (ISB #9016)

Attorneys for Protestant



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of September, 2018, I caused a true and correct copy of the [PROPOSED] ORDER: DISCOVERY to be delivered to the following by U.S. Mail and Facsimile.

Idaho Department of Water Resources
Eastern Regional Office
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-1718
Facsimile: (208) 525-7177

Idaho Department of Water Resources
State Office
322 East Front Street
Boise, ID 83702-0098
Facsimile: (208) 287-6700

I HEREBY CERTIFY that on this 19th day of September, 2018, I caused a true and correct copy of the [PROPOSED] ORDER: DISCOVERY to be delivered to the following by U.S. Mail and Electronic Mail.

Kirk Bybee
City of Pocatello
P.O. Box 4169
Pocatello, ID 83201
Email: kibybee@pocatello.us

Sarah A. Klahn
Somach Simmons & Dunn
2701 Lawrence Street, Suite 113
Denver, CO 80205
Email: sklahn@somachlaw.com



Laura A. Schroeder, ESQ (ISB #3799)
James Browitt (ISB #9016)
Schroeder Law Offices, P.C.
1915 N.E. Cesar E. Chavez Boulevard
Portland, Oregon 97212
PHONE – (503) 281-4100
FAX – (877) 600-4971
counsel@water-law.com



DOCKET SHEET

**In the Matter of Application for Transfer No. 81155 in the Name of City of Pocatello
 Exceptions to *Preliminary Order Dismissing Protest and Approving Transfer*, issued on
 August 8, 2017, filed by Spartan Portneuf, LLC**

ATTORNEYS FOR PROTESTANT SPARTAN PORTNEUF, LLC:	ATTORNEYS FOR IDWR:
Laura A. Schroeder, Esq. James Browitt Schroeder Law Offices, P.C. 1914 N.E. Cesar E. Chavez Boulevard Portland, Oregon 97212 Telephone: (503) 281-4100 counsel@water-law.com	Gary Spackman Garrick L. Baxter Emmi Blades <i>Somach Simmons & Dunn 2701 Lawrence St. Suite 113 Denver 80205</i>
ATTORNEYS FOR APPLICANT CITY OF POCATELLO:	
Kirk Bybee City of Pocatello P.O. Box 4169 Pocatello, Idaho 83201 Telephone: (208) 234-6149 kibybee@pocatello.us	Sarah A. Klahn Mitra M. Pemberton White & Jankowski, LLP 511 Sixteenth Street, Suite 500 Denver, CO 80202 Telephone: (303) 595-9441 sarahk@white-jankowski.com <i>new address phone email</i> <i>Sklahn@somachlaw.com</i>

FILE NO. 1

	NAME OF DOCUMENT	DOC DATE	SIGNATOR
1.	Preliminary Order Dismissing Protest and Approving Transfer	8/8/2017	Cefalo
2.	Approved Transfer No. 81155	8/8/2017	Cefalo
3.	Protestant's Petition for Reconsideration of Preliminary Order Dismissing Protest and Approving Transfer	8/22/2017	Schroeder
4.	Order Denying Petition for Reconsideration	9/5/2017	Cefalo
5.	Brief and Exceptions to Preliminary Order Dismissing Protest and Approving Transfer	9/19/2017	Schroeder
6.	Pocatello's Response to Brief and Exceptions to Preliminary Order Dismissing Protest and Approving Transfer	10/2/2017	Klahn
7.	Order Remanding Contested Case; Order Denying Request to Exclude Evidence	11/20/2017	Spackman
8.	City of Pocatello's Notice of Withdrawal of Counsel	2/7/2018	Pemberton

DOCKET SHEET (cont.)

**In the Matter of Application for Transfer No. 81155 in the Name of City of Pocatello
Exceptions to *Preliminary Order Dismissing Protest and Approving Transfer*, issued on
August 8, 2017, filed by Spartan Portneuf, LLC**

9.	Spartan Portneuf, LLC Motion for Scheduling Order: Discovery	9/19/18	Schroeder
10.			
11.			
12.			