BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATIONS FOR TRANSFER NO. 82076, 82369 AND 82437 IN THE NAME OF KINPORT MANAGEMENT	)))	**NOTICE OF HEARING AND DISCOVERY/DISCLOSURE ORDER**

NOTICE OF HEARING

On June 11, 2018, Kinport Management filed Applications for Transfer No. 82076, 82369 and 82437 with the Idaho Department of Water Resources (department). Protests against all three applications were filed by Cripple Creek LLC, Jerre Evans, Ranae Meyers and Kevin North, all represented by attorney Jerry Rigby. Kinport Management is represented by attorney T. J. Budge.

The department conducted a pre-hearing conference on September 4, 2018 and conducted a status conference on October 2, 2018. The parties have now requested that an administrative hearing be held to decide these contested cases.

The department has scheduled these matters for a joint hearing to be held on **January 31 and February 1, 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.

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.

DISCOVERY/DISCLOSURE 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 11, 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 18, 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 18, 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 4th day of October, 2018.

James Cefalo
Hearing Officer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of October, 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 Discovery/Disclosure 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
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REGULAR MAIL

Richard Curry
Water District 29O
4363 Arbon Hwy
Arbon ID 83213

Sharla Cox
Administrative Assistant