

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

IN THE MATTER OF APPLICATION	)	
FOR TRANSFER NO. 82573 IN THE	)	NOTICE OF
<u>NAME OF E & M TRUST</u>	)	PRE-HEARING CONFERENCE

On July 30, 2018, E & M Trust, filed Application for Transfer No. 82573 with the Idaho Department of Water Resources (department). A protest was filed by Cub River Irrigation Company represented by Thomas J. Budge of Racine Olson PLLP.

The department has scheduled this matter for a pre-hearing conference to be held on October 8, 2018, beginning at 10:00 AM, at the Ag Extension Office, 561 W Oneida, Preston, Idaho.

Agenda items for the pre-hearing conference will include:

1. Review of the application.
2. Identify issues of protest.
3. Designate target date for conducting administrative hearing if resolution is not possible during the pre-hearing conference.
4. Set dates for discovery and pre-hearing disclosures.

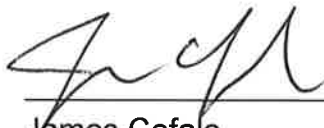
The department encourages the applicant and protestants to discuss and resolve the protests before the pre-hearing conference. If private discussions are not possible or do not resolve the protests, the department's Rules of Procedure provide for a pre-hearing conference to be held before scheduling a formal hearing.

The pre-hearing conference provides another informal opportunity for the applicant and protestants to meet. The parties often settle their differences at the pre-hearing conference. If a formal hearing is needed to resolve the protests, the pre-hearing conference serves as an opportunity to formulate or simplify the issues, obtain concessions of fact or identification of documents to avoid unnecessary proof, schedule discovery (when discovery is allowed), arrange for the exchange of proposed exhibits or prepared testimony, limit witnesses, schedule hearings, establish procedure at hearings, and address other matters that may expedite orderly conduct and disposition of the proceeding.

It is important for all parties to give considerable thought to each of these matters before appearing at the pre-hearing conference and to make the most of the opportunity to resolve the dispute informally.

The pre-hearing conference 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 pre-hearing conference, please notify the department at least (10) days prior to the hearing. Inquiries about scheduling, hearing facilities, etc., should be directed to Sharla Cox, (208)525-7161.

Dated this 26th day of September, 2018

A handwritten signature in dark ink, appearing to read 'J. Cefalo', is written over a horizontal line.

James Cefalo
Water Resources Program Manager

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of September, 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, postage prepaid and properly addressed to the following:

Document Served: Notice Of Pre-Hearing Conference
Hearing Procedure for Application for Transfer

E & M Trust
2414 S 1800 E
Preston ID 83263

Racine Olson
Thomas J Budge
PO Box 1391
Pocatello ID 83204-1391



Sharla Cox
Administrative Assistant