

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION	)	NOTICE OF HEARING, NOTICE
FOR TRANSFER NO. 81352 IN THE	)	OF STATUS CONFERENCE AND
<u>NAME OF BUNTS & SINGLES, LLC</u>	)	DISCOVERY/DISCLOSURE ORDER

NOTICE OF HEARING

On September 6, 2016, Bunts & Singles, LLC filed Application for Transfer No. 81352 with the Idaho Department of Water Resources (department). Protests were filed by John F. Hagenbarth represented by attorney John M. Marshall, Fremont-Madison Irrigation District represented by attorney Jerry Rigby, the Idaho Department of Lands represented by deputy attorney general Ann Vonde.

On March 20, 2017, the department conducted a pre-hearing conference. Status conferences were held on April 20, 2017 and July 20, 2017. The parties have now requested that an administrative hearing be held to decide this contested case.

On August 3, 2017, the Idaho Department of Lands withdrew their protest.

The department has scheduled this matter for hearing on **February 7 and 8, 2018, beginning at 9:00 AM, in Conference Room A at the Idaho Department of Environmental Quality, 900 N. Skyline Dr., Suite B, Idaho Falls.**

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.

NOTICE OF STATUS CONFERENCE

A telephone status conference has been scheduled as follows:

Telephone Status Conference
September 28, 2017 at 9:00 AM
Telephone: 1-877-820-7831
Participant Code: 889693#

DISCOVERY/DISCLOSURE ORDER

1. General discovery shall commence on October 2, 2017.
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 October 31, 2017.
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 November 30, 2017.
4. On or before January 6, 2018, 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 24, 2018, 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 24, 2018, 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.

Dated this 8th day of August, 2017.



James Cefalo
Hearing Officer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of August, 2017, 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, Notice of Status Conference and
Discovery/Disclosure Order

CERTIFIED MAIL Application for Transfer No. 81352

Bunts & Singles LLC
225 S 200 E, Ste 300
Salt Lake City UT 84111

Fremont-Madison Irrigation District
PO Box 15
St. Anthony ID 83445

Rocky Mountain Environmental
Kristin Moore
482 Constitution Way Ste 303
Idaho Falls ID 83402

Jerry Rigby
PO Box 250
Rexburg ID 83440

John M Marshall
John Marshall Law PLLC
575 W. Bannock St Ste B
Boise ID 83702

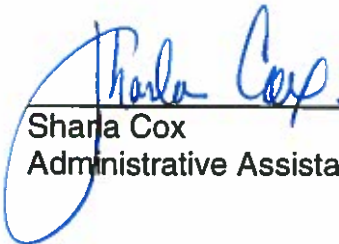
U.S. Mail – Regular

Steve Spencer
US Forest Service
1805 Hwy 16 Room 5
Emmett ID 83617-9076

Elizabeth Davy
District Ranger
PO Box 858
Ashton ID 83420

Louis Wasaniewski
US Forest Service
1405 Hollipark Dr
Idaho Falls ID 83401-2100

Jim Hagenbarth
PO Box 1128
Dillion MT 59725-1128



Shana Cox
Administrative Assistant