

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATIONS FOR) NOTICE OF HEARING, NOTICE OF
TRANSFER NO. 81292 AND 81293 IN THE) STATUS CONFERENCE, REVISED
NAME OF KIP AND BRANDI HUNTER) DISCOVERY/DISCLOSURE ORDER

NOTICE OF HEARING

On September 26, 2016, Kip and Brandi Hunter filed Applications for Transfer 81292 and 81293 with the Idaho Department of Water Resources (department). Protests were filed by Idaho Ground Water Appropriators, Aberdeen Springfield Canal Company ("ASCC"), A & B Irrigation District, Burley Irrigation District, Milner Irrigation District, North Side Canal Company, Twin Falls Canal Company, American Falls Reservoir District #2 and Minidoka Irrigation District.

During the pre-hearing conference, held on January 30, 2017, the attorney for ASCC stated that the company intended to withdraw its protest to these matters. The Department has not yet received any written withdrawal from ASCC.

Pursuant to Rule 556 of the department's Rules of Procedure (IDAPA 37.01.01) and after consultation with the parties, the department has consolidated Applications 81292 and 81293 for hearing. The department originally scheduled these matters for hearing on May 30 and 31, 2017, but issued an order vacating that hearing date to allow additional time for the parties to retain expert witnesses.

The department has now rescheduled these matters for hearing to be held on **November 2 and 3, 2017 at 9:30 AM, at the Pocatello Airport Conference Room, 1950 Airport Way, 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.

NOTICE OF STATUS CONFERENCE

A telephone status conference has also been scheduled as follows:

Telephone Status Conference
October 4, 2017 at 9:00 AM
Telephone: 1-877-820-7831
Participant Code: 889693#

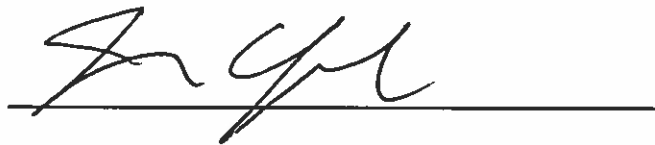
REVISED DISCOVERY/DISCLOSURE ORDER

IT IS HEREBY ORDERED that the parties may engage in discovery as follows:

1. General discovery commenced on February 6, 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 August 31, 2017
3. Depositions of expert witnesses must follow the standards set forth in the Idaho Rules of Civil Procedure and any appropriate fees must be paid according to the Idaho Rules of Civil Procedure. The hearing officer should not be provided copies of deposition transcripts.
4. Depositions of experts or department employees shall be taken on or before August 31, 2017.
5. All expert reports shall be served on or before September 29, 2017.
6. 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 September 29, 2017.

7. On or before October 19, 2017, each party must disclose to all other parties, in writing, the identity of all witnesses that will or may testify for the party at the hearing. Further, on or before October 19, 2017, each party seeking to offer exhibits at the hearing, including rebuttal expert reports, must serve on all parties copies of exhibits may be offered at the hearing.
8. Service of the proposed exhibits will be the method of providing copies to the parties as required by Rule 606 of the Rules of Procedure. All parties shall review the exhibits prior to the hearing, and come to the hearing prepared to discuss whether the proposed exhibits should be admitted into evidence.

Dated this 12th day of June, 2017.

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

James Cefalo
Hearing Officer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of June, 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, Revised
Discovery/Disclosure Order

CERTIFIED MAIL

Robert L. Harris
Holden Kidwell Hahn & Crapo
PO Box 50130
Idaho Falls ID 83405-0130

Kip and Brandi Hunter
467 S 1600 W
Pingree ID 83262

Idaho Ground Water Appropriators
TJ Budge
Racine Olson Nye Budge and Bailey
PO Box 1391
Pocatello ID 83204-1391

Aberdeen Springfield Canal Co
Randall C. Budge
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A & B Irrigation District
Burley Irrigation District
Milner Irrigation District
North Side Canal Co
Twin Falls Canal Co
Travis Thompson
Barker Rosholt & Simpson
PO Box 63
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American Falls Reservoir District #2
Minidoka Irrigation District
Kent Fletcher
Fletcher Law Office
PO Box 248
Burley ID 83318-0248



Sharla Cox
Administrative Assistant