

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

**IN THE MATTER OF APPLICATION FOR)
TRANSFER NO. 81333, 81337 AND 81338 IN)
THE NAME OF MPH FARMS)**

**NOTICE OF
PRE-HEARING CONFERENCE**

On November 21, 2016, MPH Farms filed Applications for Transfer No. 81333, 81337 and 81338 with the Idaho Department of Water Resources (department). Protests were filed by Idaho Ground Water Appropriators represented by TJ Budge of Racine Olson Nye Budge & Bailey, Aberdeen Springfield Canal Company represented by Randall C. Budge of Racine Olson Nye Budge & Bailey, A & B Irrigation District, Burley Irrigation District, Milner Irrigation District, North Side Canal Company and Twin Falls Canal Company represented by Paul Arrington of Barker Rosholt & Simpson, American Falls Reservoir District #2 and Minidoka Irrigation District represented by Kent Fletcher of Fletcher Law Office.

The department has scheduled these matters for a pre-hearing conference to be held on January 30, 2017, beginning at 10:00 am. The conference will be held at the Idaho Department of Water Resources, 900 N. Skyline Dr, Ste A, Idaho Falls, Idaho.

For those who need to participate by telephone, below is the teleconference numbers:

**Telephone: 1-877-820-7831
Participant Code: 889693**

Agenda items for the pre-hearing conference will include:

1. Review the application.
2. Identify and discuss issues of protest.
3. Designate date for conducting an administrative hearing.
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 (IDAPA 37.01.01) 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 narrow 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 the hearing, establish procedure to be used at hearing, 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 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.

Dated this 13th day of January, 2017

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

James Cefalo
Water Resources Program Manager

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of January, 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, postage prepaid and properly addressed to the following:

Documents Served: Notice of Pre-Hearing Conference
Hearing Procedure for Application for Permit

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

Greg Sullivan
Brockway Engineering
2016 N Washington St Ste 4
Twin Falls ID 83301

MPH Farms
2935 W 2050 S
Aberdeen ID 83210

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
Racine Olson Nye Budge and Bailey
PO Box 1391
Pocatello ID 83204-1391

A & B Irrigation District
Burley Irrigation District
Milner Irrigation District
North Side Canal Co
Twin Falls Canal Co
Paul Arrington
Barker Rosholt & Simpson
PO Box 63
Twin Falls ID 83303-0063

American Falls Reservoir District #2
Minidoka Irrigation District
Kent Fletcher
Fletcher Law Office
PO Box 248
Burley ID 83318-0248


Sharla Cox
Administrative Assistant