

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

IN THE MATTER OF APPLICATION	)	
FOR TRANSFER NO. 80079	)	
IN THE NAME OF KIRK S. EGBERT	)	NOTICE OF
	)	PRE-HEARING CONFERENCE

On April 22, 2015, Kirk S. Egbert filed Application for Transfer No. 80079 with the Idaho Department of Water Resources ("department"). A protest was filed by Mud Lake Water Users Inc.

The department has scheduled the matter for a pre-hearing conference to be held on October 19, 2015, beginning at 10:00 am. The conference will be held at the Mud Lake Water Users Inc, 1400 E 1500 N, Terreton, Idaho.

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 7th day of August, 2015,



James Cefalo

Water Resources Program Manager

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of August, 2015, 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

Kirk S. Egbert
1410 E 1300 N
Terreton ID 83450

Mud Lake Water Users Inc
Steve Shively
PO Box 68
Terreton Id 83450

Rocky Mountain Environmental
Keith Wilson
482 Constitution Way #300
Idaho Falls ID 83402



Sharla Cox

Administrative Assistant