

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

**IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 15-7401 IN THE)
NAME OF TOD DANIELS)**

**NOTICE OF HEARING AND
DISCLOSURE ORDER**

NOTICE OF HEARING

On February 19, 2015, Tod Daniels filed Application for Permit No. 15-7401 with the Idaho Department of Water Resources (department). An amendment to the application was filed on March 9, 2015, amending the period of use and the quantity of use. The application was advertised to the public beginning March 19 and 26, 2015. A protest was filed against the application by Elden Nielsen.

On April 23, 2015, a pre-hearing teleconference was conducted. The parties have now determined that a formal hearing should be held to resolve this protested matter.

The department has scheduled the matter for a **teleconference hearing on May 19, 2015 beginning at 9:00 AM.**

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

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.

DISCLOSURE ORDER

On or before **May 8, 2015**, each party must disclose to all parties and the hearing officer, in writing, the identity of all witnesses that may testify for the party at the hearing. On or before **May 8, 2015**, each party seeking to offer exhibits at the hearing must serve on all parties and the hearing officer copies of the exhibits. Service of the proposed exhibits will satisfy the requirements of Rule 606 of the department's Rules of Procedure.

Dated this 28th day of April, 2015.

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

James Cefalo
Hearing Officer

CERTIFICATE OF SERVICE

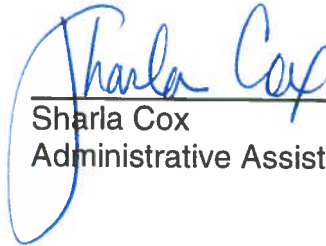
I HEREBY CERTIFY that on this 28th day of April, 2015, true and correct copies of the documents described below were served by placing a copy of the same with the United States Postal Service, certified mail with return receipt requested, postage prepaid and properly addressed to the following:

Document Served: Notice of Hearing and Disclosure Order

CERTIFIED MAIL

Tod Daniels
610 N 500 W
Malad Id 83252

Elden Nielsen
930 W Samaria Lane
Malad ID 83252



Sharla Cox
Administrative Assistant