

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION	)	NOTICE OF RESCHEDULED
FOR TRANSFER NO. 79037 IN THE NAME	)	HEARING AND AMENDED
<u>OF P4 PRODUCTION, LLC</u>	)	DISCLOSURE ORDER

NOTICE OF HEARING

On December 31, 2013, P4 Production LLC filed Application for Transfer No. 79037 with Idaho Department of Water Resources (department). An amendment to the application was filed on June 18, 2014, changing the number and location of the proposed points of diversion. The application was advertised to the public beginning June 26, 2014. Protests were filed by Water District 11B, City of Soda Springs, Farmers Land & Irrigation of Alexander, Idaho, represented by Jerry R. Rigby of Rigby Andrus & Rigby, John Lau, Pat Lozier and Nedra Torgesen.

A prehearing conference was held on April 24, 2014. The parties determined that a formal hearing should be held to resolve these protested matters.

On November 28, 2014, the department received a "Stipulated Settlement Agreement" from City of Soda Springs, Farmers Land & Irrigation of Alexander, Idaho, John Lau and Pat Lozier.

The department scheduled a hearing to be held on January 6, 2015, but the hearing was vacated on the belief that the remaining parties would be able to reach an informal resolution of the issues of protest. The parties have been unable to settle the contested case informally. Therefore, the hearing has been rescheduled for **May 21 and 22, 2015 beginning at 10:00 AM, at the Caribou County Courthouse (downstairs, room 103), 159 S. Main, Soda Springs, Idaho.**

The presiding officer at the hearing will be James Cefalo, whose mailing address is 900 N. Skyline Dr., Ste. A, Idaho Falls, Idaho 83402.

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 7, 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 7, 2015**, each party seeking to offer exhibits or expert reports 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. **Exhibits and witnesses that were disclosed in preparation for the previous hearing date do not need to be disclosed again.**

Dated this 11th day of March, 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 11th day of March, 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

Randall C. Budge
T.J. Budge
Racine Olson Nye Budge & Bailey
PO Box 1391
Pocatello ID 83204-1391

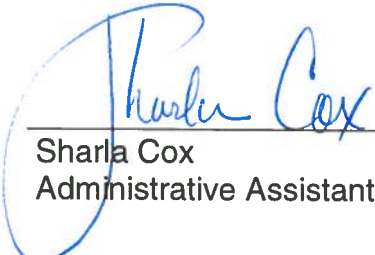
Nedra Torgesen
PO Box 45
Soda Springs ID 83276-0045

Brian Torgesen
President of Soda Creek 11B
260 River Dr
Soda Springs ID 83276

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

US MAIL

Caribou County Courthouse
Attn: Donna Ledbetter
159 S. Main
Soda Springs ID 83276



Sharla Cox
Administrative Assistant