

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

**IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 36-16976 IN THE NAME)
OF NORTH SNAKE GROUND WATER)
DISTRICT ET AL. AND APPLICATION)
FOR PERMIT NO 36-17002 IN THE)
NAME OF RANGEN INC.)**

**NOTICE OF HEARING AND
DISCLOSURE ORDER**

NOTICE OF HEARING

On April 3, 2013, Aberdeen American Falls GWD, Bingham GWD, Bonneville-Jefferson GWD, Jefferson Clark GWD, Madison GWD, Magic Valley GWD and North Snake GWD ("the Districts"), represented by Randy Budge and T.J. Budge of Racine Olson Nye Budge & Bailey, filed Application for Permit No. 36-16976 with the Idaho Department of Water Resources (department). Protests were filed by Rangen Inc., represented by Fritz Haemmerle of Haemmerle & Haemmerle and by Blind Canyon Aquaranch Inc.

On February 3, 2014, Rangen Inc. filed Application for Permit No 36-17002 with the department. Protests were filed by the Districts and by the City of Gooding, represented by Craig Hobdey of Hobdey Law Office.

A prehearing conference for both protested applications was held on May 13, 2014. The parties have now determined that a formal hearing should be held to resolve these protested matters.

The department has scheduled these contested cases for hearing on **September 17, 18 and 19, 2014 beginning at 9:00 AM, at the Idaho Department of Environmental Quality, 650 Addison Ave W. Ste 110, Twin Falls, Idaho**. The hearing for Application 36-16976 will be held first. The hearing for Application 36-17002 will begin immediately afterwards.

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 **August 20, 2014**, each party shall disclose to all other parties and the hearing officer, in writing, the identity of any expert witness that may testify for the party.

On or before **September 3, 2014**, each party shall disclose to all parties and the hearing officer the identity of all witnesses that may testify for the party at the hearing. On or before **September 3, 2014**, each party seeking to offer exhibits at the hearing, including expert reports, shall serve on all parties and the hearing officer copies of the proposed exhibits. Service of the proposed exhibits will satisfy the requirements of Rule 606 of the department's Rules of Procedure.

The parties are authorized to conduct depositions of expert witnesses according to the provisions of the Idaho Rules of Civil Procedure. Any fees associated with the depositions shall be paid in accordance with the Idaho Rules of Civil Procedure. Depositions shall be completed on or before **September 3, 2014**.

Dated this 18th day of July, 2014.



James Cefalo
Hearing Officer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of July, 2014, 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
CERTIFIED MAIL

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*Racine Olson Nye Budge & Bailey
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Sharla Cox
Administrative Assistant