

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION	)	
FOR PERMIT NO. 01-10625 IN THE NAME	)	NOTICE OF HEARING AND
OF PEOPLES CANAL & IRRIGATION CO.	)	ORDER AUTHORIZING
AND NO. 01-10626 IN THE NAME OF SNAKE	)	DISCOVERY AND SETTING
<u>RIVER VALLEY IRRIGATION DISTRICT</u>	)	DISCLOSURE DEADLINES

NOTICE OF HEARING

On June 19, 2013, Peoples Canal & Irrigation Co. filed Application for Permit No. 01-10625 and Snake River Valley Irrigation District filed Application for Permit No. 01-10626 with the Idaho Department of Water Resources (department). Protests were filed against both applications by Idaho Power represented by James C. Tucker, Idaho Department of Fish & Game, 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, and American Falls Reservoir District #2 and Minidoka Irrigation District, represented by W. Kent Fletcher of Fletcher Law Office. Application 01-10625 was also protested by the U.S. Bureau of Land Management.

On January 22, 2014, a joint pre-hearing conference was conducted for both applications. On February 18, 2014, a status conference was conducted and the parties requested that a formal hearing be held to resolve the protested matters. The parties determined that, because the applications are very similar, a single hearing could be held to address both contested applications.

The department has scheduled the matter for hearing on **June 17, 18 and 19, 2014, beginning at 9:00 AM, at the Bingham County Courthouse, Courtroom #2, 501 N. Maple in Blackfoot, Idaho.**

The presiding officer at the hearing will be James Cefalo, whose mailing address is 900 N. Skyline Dr., Suite 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.

ORDER AUTHORIZING DISCOVERY AND SETTING DISCLOSURE DEADLINES

1. General discovery may begin immediately.
2. Discovery requests must be interrogatories or requests for documents. Requests for admission are not allowed. No more than 15 interrogatories may be served by any party (or the attorney for several parties) on another party. Division of interrogatories into sub-parts is not permissible. Discovery requests shall be served on or before May 23, 2014.
3. Answers to written discovery must be served on the requesting party within 14 days of service of the request. All responses to discovery shall be served on or before June 6, 2014.
4. Depositions of expert witnesses may be taken according to the standards set forth in the Idaho Rules of Civil Procedure and any appropriate fees must be paid according to the Idaho Rules of Civil Procedure. The hearing officer should not be provided copies of deposition transcripts.
5. Depositions can start as of the date of this order and must be completed on or before May 23, 2014.
6. Expert Reports must be served on all parties and the hearing officer on or before May 9, 2014.
7. Rebuttal expert reports must be served on all parties and the hearing officer on or before June 6, 2014.
8. On or before June 6, 2014, each party must disclose to all other parties, in writing, the identity of all witnesses that will or may testify for the party at the hearing. A copy of the witness list should also be sent to the hearing officer.
9. On or before June 6, 2014, each party seeking to offer exhibits at the hearing must serve on all parties and the hearing officer, copies of exhibits that may be offered at the hearing. Service of the proposed

exhibits will be the method of providing copies of exhibits to the parties as required by Rule 606 of the department's Rules of Procedure. The parties shall review the proposed exhibits prior to the hearing, and come to the hearing prepared to discuss whether the proposed exhibits should be admitted into evidence.

Dated this 24th day of February, 2014



James Cefalo
Hearing Officer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of February, 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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Sharla Cox
Administrative Assistant