

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

**IN THE MATTER OF PERMIT TO)
APPROPRIATE WATER NO.)
47-17614)
IN THE NAME OF:)
DOUGLAS & CLARELYN ELGAN)
_____)**

**NOTICE OF PRE-HEARING
CONFERENCE**

On October 15, 2013, DOUGLAS L & CLARELYN ELGAN filed an Appropriation of a Water Right Permit No. 47-17614 with the Idaho Department of Water Resources (department). Protest(s) were filed by SHARON BUSMANN.

The department has scheduled the matter for pre-hearing conference on Thursday, February 06, 2014, beginning at 10:00 AM, at IDAHO DEPT. OF WATER RESOURCES, SOUTHERN REGION, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID, 83301. Please note, this is the new address and location for the IDWR Southern Region office; effective January 21st, 2014. Our new location will be in the Twin Falls County West Building; formerly St. Luke's Magic Valley Regional Medical Center.

Agenda items for the pre-hearing conference will include:

1. Identify spokesman and/or counsel representing the protestant
2. Review of the application
3. Identify issues of protest
4. Designate date for identifying witnesses
5. Designate target date for conducting administrative hearing if resolution is not possible during the pre-hearing conference.

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 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 formulate 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 hearings, establish procedure at hearings, 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 pre-hearing conference, please notify the department at least (10) days prior to the hearing. Inquiries about scheduling, hearing facilities, etc., should be directed to Denise Maline, #(208) 736-3033.

Dated this 13th day of January, 2014.

A handwritten signature in black ink, appearing to read "Allen Merritt". The signature is stylized with a large initial "A" and a cursive "Merritt".

Allen Merritt
Southern Regional Manager

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of January, 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, postage prepaid and properly addressed to the following:

Document Served: Notice Of Pre-Hearing Conference

DOUGLAS L ELGAN
CLARELYN ELGAN
4785 N 1115 E
BUHL, ID 83316

BARKER ROSHOLT & SIMPSON LLP
ATTN: PAUL L ARRINGTON
195 RIVER VISTA PL, STE 204
TWIN FALLS, ID 83301-3029

SHARON BUSMANN
C/O GIVENS PURSLEY LLP
ATTN: MICHAEL LAWRENCE
PO BOX 2720
BOISE, ID 83701-2720

A handwritten signature in cursive script that reads "Denise Maline". The signature is written in dark ink and is positioned above the printed name and title.

Denise Maline
Administrative Assistant