

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION	)	
FOR TRANSFER NO. 78363	)	NOTICE OF RESCHEDULED
(FORMERLY NO. 77933) IN THE	)	HEARING AND ORDER REVISING
<u>NAME OF TELFORD LANDS LLC</u>	)	DISCLOSURE DEADLINES

NOTICE OF RESCHEDULED HEARING

The department scheduled the above matter for a hearing on February 19, 20 and 21, 2013 beginning at 9:00 AM, at the Arco Butte Business Center, 150 N. Idaho, Arco, Idaho. On December 3, 2012, protestant Kirby Jensen, filed a motion asking the Department to reschedule the hearing for a later date. A recently-approved transfer within the basin, Transfer No. 77610 (Parkinson Farms) has been appealed to the director. The director's decision, which may not be issued until mid-February 2013, may affect the evidence offered by the parties in this contested case. Telford Lands concurred with Mr. Jensen's motion and suggested moving the hearing to August 2013.

The matter has been rescheduled for hearing on **August 13, 14 and 15, 2013**, beginning at **9:00 AM**, at the Arco Butte Business Center, 150 N. Idaho, Arco, Idaho.

If you plan to offer exhibits for the record at the hearing, note that Rule 606 of the department's Rules of Procedure requires that a copy be provided to the presiding officer.

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 adopted Rules of Procedure of the department, IDAPA 37.01.01, and Water Appropriation Rules 40 and 45. A copy of the code/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 matter.

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 REVISING DISCLOSURE DEADLINES

IT IS HEREBY ORDERED that the discovery/disclosure schedule is revised as follows:

1. By previous order, general discovery could be conducted between October 19, 2012 and December 21, 2012. General discovery has ended.
2. On or before July 12, 2013, 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. Further, on or before July 12, 2013, each party seeking to offer exhibits, including expert reports, at the hearing must serve on all parties and the hearing officer copies of the exhibits which may be offered at the hearing.
3. Any rebuttal report or written rebuttal statement prepared by an expert witness, which is intended to be offered as an exhibit, must be provided to all of the parties and the hearing officer on or before August 2, 2013.
4. Service of the proposed exhibits will be the method of providing copies of exhibits to the parties as required by Rule 606 of the Rules of Procedure. All parties shall review the proposed exhibits prior to the hearing, and come to the hearing prepared to discuss whether each of the proposed exhibits should be admitted into evidence.

Dated this 7th day of January, 2013.



James Cefalo
Hearing Officer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of January, 2013, 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:

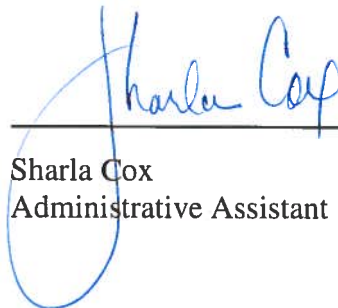
Document Served: Notice Of Rescheduled Hearing

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Sharla Cox
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