

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

**IN THE MATTER OF PERMIT TO)
APPROPRIATE WATER)**

No. 95-10877)

IN THE NAME OF:)

SYLTE RANCH LLC)

**NOTICE OF HEARING,
ORDER AUTHORIZING DISCOVERY,
AND PRE-HEARING ORDER**

On 7/21/2009, SYLTE RANCH LLC, filed an Application For Permit to Appropriate Water, No. 95-10877 with the Idaho Department of Water Resources (department). Protest(s) were filed by PAUL F FINMAN.

On Thursday, January 26, 2012, a pre-hearing conference was held, and the parties requested that a formal hearing be held to resolve the protested matter.

The department has scheduled the matter for hearing on Thursday, June 14, 2012, beginning at 10:00 AM, at IDAHO DEPARTMENT OF WATER RESOURCES, Northern Conference Room, 7600 NORTH MINERAL AVE., STE. 100, COEUR D'ALENE, ID, 83815-7763.

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 Shelley Keen, whose mailing address is 322 E. Front St., 6th Floor , Boise, ID 83720-0098.

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 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 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, hearing facilities, etc., should be directed to Dianne Ball, #(208)762-2800.

ORDER AUTHORIZING DISCOVERY AND PRE-HEARING ORDER

IT IS HEREBY ORDERED that the parties may engage in discovery as follows:

1. General discovery can begin immediately.
2. On or before Thursday, April 30, 2012, each party must disclose to all other parties, in writing the identity of all expert witnesses that will or may testify at the hearing.
3. All written discovery requests shall be served on or before Thursday, May 24, 2012. Answers to written discovery must be served on the requesting party within fourteen (14) days of service of the request. All responses to discovery shall be served on or before Thursday, June 7, 2012.
4. Written requests for discovery must be interrogatories or requests for documents (requests for admission are not allowed). No more than 10 interrogatories may be served by any party (or the attorney for several parties) on another party, and no more than 10 unanswered interrogatories served by any party (or the attorney for several parties) may be pending. Division of a single interrogatory into more than two sub-questions is not permissible.
5. All depositions shall be completed on or before Thursday, May 31, 2012.

IT IS FURTHER ORDERED that, on or before Thursday, May 31, 2012, each party seeking to offer exhibits at the hearing must physically serve (in the actually physical possession of the person being served) on all other parties and 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 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 16 day of March, 2012.


Keith Franklin
Interim Program Manager