

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION)	
FOR TRANSFER NO. 77610)	NOTICE OF HEARING
IN THE NAME OF)	AND ORDER SETTING
<u>PARKINSON FARMS)</u>	DISCLOSURE DEADLINES

NOTICE OF HEARING

On November 8, 2011, Parkinson Farms filed Application for Transfer No. 77610 with the Idaho Department of Water Resources. The transfer application was advertised to the public and protests were filed by Kirby A. Jensen, Darrell L. McDonald, Seth E. Beal, and Norman K. Sowards and Darrell E McDonald represented by James P. Speck of Speck and Aanestad.

On January 20, 2012, a pre-hearing conference was conducted. The parties were unable to resolve the issues of protest and have now requested that a formal hearing be held to resolve the protested matter.

The department has scheduled the matter for hearing on **May 17 and 18, 2012 beginning at 9:30 AM, at the Arco Butte Business Center, 159 North Idaho, Arco, Idaho.**

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, IDAPA 37.03.08. 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 or hearing facilities should be directed to Sharla Cox at (208) 525-7161.

ORDER SETTING DISCLOSURE DEADLINES

IT IS HEREBY ORDERED that pre-hearing disclosures shall take place as follows:

1. On or before May 3, 2012, each party seeking to offer exhibits at the hearing must serve on all parties and the hearing officer, copies of the exhibits that may be offered at the hearing, including any expert reports. 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 should 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.
2. On or before May 3, 2012, each party must disclose to all other parties and the hearing officer, in writing, the identity of all witnesses that may testify for the party at the hearing, including any expert witnesses.

Dated this 14th day of March 2012,


James Cefalo
Hearing Officer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of March, 2012, 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 and Order Setting Disclosure Deadlines

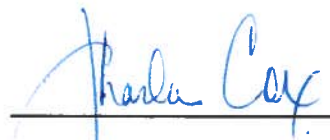
Kirby A. Jensen
2781 N 3375 W
Moore ID 83255

Darrell L. McDonald
PO box 246
Arco ID 83213

Speck & Aanestad
James P. Speck
PO Box 987
Ketchum ID 83340

Parkinson Farm
2253 N 3100 W
Arco Id 83213

Seth Beal
2827 N 3375 W
Moore ID 83255



Sharla Cox
Administrative Assistant