



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

November 14, 2011

Shekinah Industries Inc
Nevid LLC,
Mayfield Townsite LLC
G3 LLC
City of Mountain Home
Brockway Engineering
Brown Farms

**RE: Contested Application for Transfer #73811—Shekinah Industries Inc.
December 7th Pre hearing Conference**

Dear Protestants, Applicant, and Parties:

As you are aware, our Department is considering consolidating the contested planned community's applications in the I-84 development area. At this point, the consolidated proceedings have not been formalized.

In early September 2011, you received a notice from our Department that scheduled a pre-hearing conference for the above contested application. The Applicant has requested to move forward with the previous scheduled pre-hearing conference for the purposes outlined, see attachments.

This letter will serve as a reminder notice for the prehearing conference scheduled on **Wednesday, December 7, 2011 beginning at 9:30 AM at the Department of Water Resources Western Regional Office, 2735 Airport Way, Boise, ID.**

Should you have questions, please contact Sherry Borgeman at the Western Regional Office, phone 334-2190.

Sincerely,

A handwritten signature in black ink that reads "John Westra". The signature is fluid and cursive, with the first name "John" and last name "Westra" clearly distinguishable.

John Westra, Manager

Enclosure: conference criteria, previous conference notice

Pre Hearing Conference Purpose

- Formulate/simplify the issues*
- Discuss settlements, make settlement offers*
- Address matters that may expedite conduct of the proceeding or settlement*
- Schedule hearings, discovery.***

Evaluation Criteria --Applications for Permit

Pursuant to Idaho Code §42-203A (5)

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply sufficient for the purposes intended?
3. Is the application made in good faith, for delay, or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest? *that is, the interests that the people in the area directly affected by a proposed water use have in the effects of such use on the public water resource.*
6. Will the proposed use be contrary to conservation of water resources within the State of Idaho?

Web References www.idwr.idaho.gov, select forms-rules-statutes

- Idaho Code 42-203A *Protests—Hearings Appeals*
- Rules of Procedure; IDAPA 37.01.01
- Water Appropriation Rules; IDAPA 37.03.08

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

IN THE MATTER OF APPLICATION FOR)
TRANSFER NO. 73811)
IN THE NAME OF:)
SHEKINAH INDUSTRIES, INC.)

**NOTICE OF PRE-HEARING
CONFERENCE**

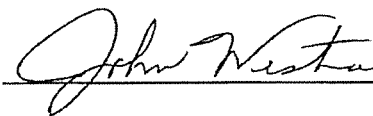
On December 7, 2006, IDAHO WATER CO LLC, filed Application for Transfer No. 73811 with the Idaho Department of Water Resources (department). Protest(s) were filed by NEVID LLC, MAYFIELD TOWNSITE LLC, G3 LLC, & CITY OF MOUNTAIN HOME.

On June 3, 2011 the Application for Transfer was assigned to Shekinah Industries, Inc.

The department has scheduled the matter for a pre-hearing conference on **Wednesday, December 7, 2011, beginning at 9:30 AM, at DEPARTMENT OF WATER RESOURCES, WESTERN REGION 2735 AIRPORT WAY, BOISE, ID, 83705.** The conference will be held in accordance with provisions of the IDWR Rules of Procedure and Water Appropriation Rules 40 and 45.

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 John Westra or Denise Buffington, # (208) 334-2190.

Dated this 2nd day of September, 2011.



John Westra
Regional Manager

CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of November, 2011, I mailed a true and correct copy, postage prepaid, of the foregoing **PREHEARING CONFERENCE REMINDER FOR TRANSFER APPLICATION #73811** to the person(s) listed below:

SHEKINAH INDUSTRIES INC.
C/O MICHAEL PRESTON
420 BITTERROOT DR
BOISE, ID 83709

GIVENS PURSLEY LLP
C/O MICHAEL C CREAMER
PO BOX 2720
BOISE, ID 83701-2720

BROCKWAY ENGINEERING PLLC
C/O ERICK POWELL
2016 N WASHINGTON ST STE 4
TWIN FALLS, ID 83301

CITY OF MOUNTAIN HOME
ATTN: WAYNE SHEPHERD
PO BOX 10
MOUNTAIN HOME, ID 83647

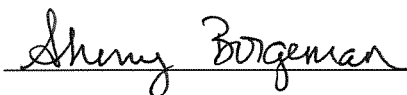
G3 LLC
ATTN: CRAIG HAYNES
2136 E LEWANDOWSKI LN
BOISE, ID 83716

MAYFIELD TOWNSITE LLC
PO BOX 1359
CALDWELL, ID 83606

MOORE SMITH BUXTON & TURCKE
ATTN: BRUCE SMITH
950 W BANNOCK ST, STE 520
BOISE, ID 83702

BROWN FARMS LLC
C/O HOLZER EDWARDS & HARRISON
ATTN: CLIFFORD BROWN, ESQ.
1516 W HAYS ST
BOISE, ID 83702

NEVID LLC & ELK CREEK RANCH LLC
C/O NORMAN M SEMAKNO
ATTORNEY AT LAW
PO BOX 538
EAGLE, ID 83616



Sherry Borgeman
Administrative Assistant