

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

IN THE MATTER OF PERMIT	)	ORDER VACATING HEARING
NO. 37-7842 IN THE NAME OF THE	)	AND SETTING DEADLINES FOR
<u>IDAHO WATER RESOURCE BOARD</u>	)	BRIEFING OF LEGAL ISSUES

On April 27, 2011, the Department issued a Notice of Hearing Correction setting a hearing date in this matter for Thursday, June 23, 2011. On June 10, 2011, the Department conducted a telephone status conference with the attorneys for the parties: Joseph James on behalf of the petitioners, and Shasta Kilminster-Hadley and David Stanish on behalf of the Department. The parties agreed to vacate the June 23rd hearing date and to postpone a hearing in this matter until after the pending legal issues have been identified and briefed. The parties hope that, by first addressing the legal issues through written briefs, the scope of the hearing, if one is held, will be narrowed.

ORDER

IT IS HEREBY ORDERED that the hearing scheduled for June 23, 2011, is vacated and will be rescheduled at a later date, if needed.

IT IS FURTHER ORDERED that on or before June 24, 2011, the parties shall provide to the hearing officer a statement of the legal issues to be addressed in this matter. The hearing officer will review the statements and will prepare a consolidated statement of legal issues to be addressed by the parties in their legal briefs.

IT IS FURTHER ORDERED that on or before August 26, 2011, the parties shall file initial briefs analyzing the legal issues identified and arguing how the legal issues should be decided. The parties should also identify any questions of fact that would need to be established in a hearing setting.

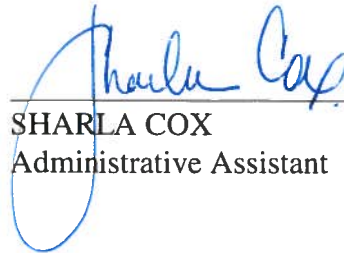
IT IS FURTHER ORDERED that on or before September 30, 2011, the parties may file response briefs addressing any of the arguments raised in the initial brief filed by opposing counsel.

Dated this 14th day of June 2011.



JAMES CEEALO
Water Resources Program Manager

I hereby certify that on the 14th day of June 2011, I mailed a true and correct copy, postage prepaid, of this document to the parties listed below:


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Administrative Assistant

MAILED

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