

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT TO	)	
APPROPRIATE WATER NO. 37-7842	)	NOTICE OF HEARING
IN THE NAME OF	)	
<u>IDAHO WATER RESOURCE BOARD</u>	)	

NOTICE OF HEARING

On September 2, 2010, the Idaho Department of Water Resources ("department") granted a five year extension of time to submit proof of beneficial use for permit no. 37-7842, which is held by the Idaho Water Resource Board. Permit No 37-7842 was originally issued in 1982. Since that time, the Idaho Water Resource Board has applied for and obtained three five-year extensions to prove beneficial use (granted in 2000, 2004 and 2010). On September 22, 2010, Joseph F James of Brown & James, filed a Petition for Hearing and Petition for Declaratory Ruling on the behalf of William Arkoosh, the Estate of Veronon Ravenscroft, Koyle Hydro, Inc., Notch Butte Hydro Company, Inc., and Shorock Hydro Inc. asking the department to issue an order declaring all or a portion of permit no. 37-7842 lapsed for failure to provide proof of beneficial use.

On February 24, 2011, a pre-hearing conference was conducted 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, May 26, 2011 beginning at 10:00 AM**, at Idaho Department of Fish & Game, 324 S 417 East, Hwy 93, Jerome (**Note: Take exit 173 on I-84, go north 2 ½ mile. The building is on the east side of Highway 93**).

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 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.

Dated this 5th day of April, 2011.


James Cefalo
Hearing Officer

CERTIFICATE OF SERVICE

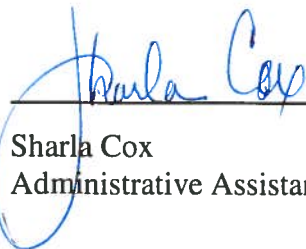
I HEREBY CERTIFY that on this 5th day of April, 2011, true and correct copies of the documents described below were served by placing a copy of the same with the United States Postal Service, certified mail with return receipt requested, postage prepaid and properly addressed to the following:

Document Served: Notice Of Hearing

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