

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR TRANSFER NO. 76286)
IN THE NAME OF)
TELFORD LANDS LLC)

NOTICE OF HEARING AND
ORDER AUTHORIZING DISCOVERY

NOTICE OF HEARING

On January 29, 2010, Telford Lands LLC, filed an Application for Transfer No. 76286 with the Idaho Department of Water Resources (department). Protest(s) were filed by Fred Burt, Heather Camille Shosted, Jeffrey Allen, Jerry L. Brown, Jim L Scouten, Kim W. Baldwin, Kirby A. Jensen, Nathan D Carpenter, Reuben H Babcock, Russell Babcock and Wade Waddoups. On March 23, 2010, Moore Water and Sewer Association, represented by Lin Pearson, filed a petition to intervene as a protestant.

On Wednesday, October 20, 2010, 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, February 10, 2011 beginning at 9:00 AM, at the Arco Butte Business Center, 159 N Idaho, Arco ID.

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.

ORDER AUTHORIZING DISCOVERY

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

1. General discovery will begin on October 21, 2010.
2. Written requests for discovery must be interrogatories or requests for documents. Requests for admission are not allowed. No more than 5 interrogatories may be served by any party (or the attorney for several parties) on another party. Division of a single interrogatory into more than two sub-questions is not permissible. All discovery requests shall be served on or before November 30, 2010.
3. 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 December 15, 2010.
4. On or before January 27, 2011, each party must disclose to all other parties, in writing, the identity of all witnesses that will or may testify for the party at the hearing. Further, on or before January 27, 2011, each party seeking to offer exhibits at the hearing must serve on all parties, including the 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 25th day of October, 2010.



James Cefalo
Hearing Officer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of October, 2010, 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 Authorizing Discovery

ROBERT L HARRIS
HOLDEN KIDWELL HAHN & CRAPO
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PAUL ID 83347

MOORE WATER & SEWER ASSN
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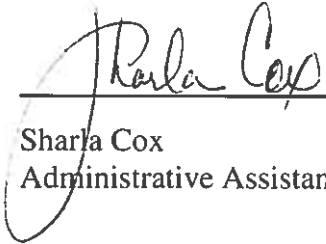
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Sharla Cox
Administrative Assistant