

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

**IN THE MATTER OF APPLICATION)
FOR TRANSFER NO. 76075)
IN THE NAME OF:)
GRAND TETON CANAL CO LTD)**

**NOTICE OF HEARING and
ORDER AUTHORIZING DISCOVERY**

NOTICE OF HEARING

On Thursday, October 29, 2009, GRAND TETON CANAL CO LTD filed an Application for Transfer No. 76075 with the Idaho Department of Water Resources (department). Protest(s) were filed by TETON PIPELINE ASSOCIATION, FRIENDS OF THE TETON RIVER, FREMONT-MADISON IRRIGATION DISTRICT and BUREAU OF RECLAMATION.

On Friday, March 19, 2010, a pre-hearing conference was held and the parties requested that a formal hearing be held to resolve the protested matter.

The department has scheduled the matter for hearing on June 14 and 15, 2010, beginning at 10:00 AM, at Idaho Dept. of Water Resources, Eastern Region Office, 900 N Skyline Dr. Ste A, Idaho Falls, ID, 83402.

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, hearing facilities, etc., should be directed to Sharla Cox, (208)525-7161.

ORDER AUTHORIZING DISCOVERY

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

1. General discovery can begin immediately.
2. On or before May 31, 2010, each party must disclose to all other parties, in writing, the identity of all expert witnesses that will or may testify at the hearing.
3. All written discovery requests shall be served on or before May 14, 2010. 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 May 31, 2010.
4. Written requests for discovery must be interrogatories or requests for documents (requests for admission are not allowed). No more than 10 interrogatories may be served by any party (or the attorney for several parties) on another party, and no more than 10 unanswered interrogatories served by any party (or the attorney for several parties) may be pending. Division of a single interrogatory into more than two sub-questions is not permissible.
5. All depositions shall be complete on or before May 31, 2010.

IT IS FURTHER ORDERED that, on or before May 31, 2010, each party seeking to offer exhibits at the hearing must physically serve (in the actual physical possession of the person being served) on all other parties and 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 26th day of March, 2010.



James Cefalo
Hearing Officer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of March, 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
PO BOX 50130
IDAHO FALLS, ID 83405-0130

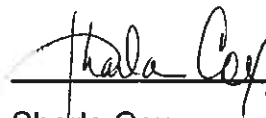
GRAND TETON CANAL CO LTD
PO BOX 1099
DRIGGS, ID 83422

TETON PIPELINE ASSOCIATION
391 W 1200 NORTH
FELT, ID 83424

FRIENDS OF THE TETON RIVER
PO BOX 768
DRIGGS, ID 83452

FREMONT-MADISON IRRIGATION
DISTRICT
PO BOX 15
ST ANTHONY , ID 83445

BUREAU OF RECLAMATION
1150 N CURTIS RD STE 100
BOISE, ID 83706



Sharla Cox
Administrative Assistant