

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

IN THE MATTER OF PROTESTED	)	
	)	
TRANSFER NO. 75177 IN THE	)	
NAME OF PAUL BRAINERD	)	ORDER GRANTING APPLICANT'S
	)	JOINT MOTION TO VACATE
TRANSFER NO. 75341 IN THE	)	HEARING AND POSTPONEMENT
NAME OF ED SINNOTT	)	OF DEADLINES
	)	
	)	
TRANSFER NO. 75342 IN THE	)	
NAME OF PETER AND ANTONIA	)	
BRECK	)	
	)	
_____	)	

A joint hearing for the above titled contested matter is scheduled for June 21 and June 22, 2010 in Boise, Idaho.

On May 12, 2010, the Department received a *Joint Motion to Vacate Dates Set in Notice of Joint Hearing and Prehearing Order*. The Applicants, by and through their attorney James P. Speck and Intervener, South County Estates, LLC ("SCE") by and through its counsel, James R. Laski pursuant to IDAPA 37.01.01.260, seek an order vacating the dates and deadlines set forth in the Notice of Joint Hearing and Prehearing Order dated February 24, 2010, including vacating the hearing presently scheduled for June 21-22, 2010.

The applicants and SCE seek to delay proceedings in the contested cases because of a recent Department ruling on legal issues in another matter that bear directly on the issues in the above referenced contested cases. The interim director determines that the hearing and associated deadlines should be vacated.

The interim director requests that the Applicants notify the Department when they are ready to proceed to hearing and contact the protesting parties to arrange an agreeable date with all parties for scheduling any prehearing conference and the hearing. Upon receipt of this information, the interim director will issue a notice of a prehearing conference, if needed, and a notice of hearing.

ORDER

IT IS HEREBY ORDERED that the hearing for the contested case, scheduled for June 21 and June 22, 2010 is **vacated** and continued.

IT IS FURTHER ORDERED that the deadlines for list of witnesses and expert witnesses, copies of documents and proposed exhibits and the availability of a staff memorandum set forth in the Notice of Joint Hearing and Pre-Hearing Order of February 24, 2010, are **vacated**.

Dated this 17th day of May, 2010.

A handwritten signature in black ink, reading "Gary Spackman", is written over a horizontal line.

Gary Spackman
Interim Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of May, 2010, a true and correct copy of the foregoing document described below was served on the following as noted:

Document(s) Served: Order Granting Applicant's Joint Motion to Vacate Hearing and Postponement of Deadlines

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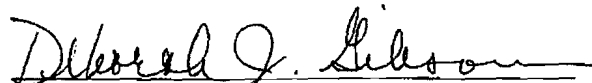
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