

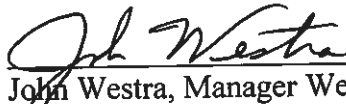
**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION FOR)	
WATER RIGHT #67-14952 IN THE NAME OF)	
DAVID F ROBIDOUX)	NOTICE OF PREHEARING
)	CONFERENCE

On November 15, 2006, David F. Robidoux filed with the Idaho Department of Water Resources (IDWR) Application for Water Right #67-14952. The application was protested April 03, 2008 by Wayne W Williamson. IDWR has scheduled a pre-hearing conference for the protests to be held **February 10, 2009, 10:00 am, at the Cambridge US Bank conference room, 95 Superior St Cambridge, ID 83610.**

The conference will be held in accordance with provisions of the IDWR Rules of Procedure and Water Appropriation Rules 40 and 45. The conference 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 contact IDWR at least ten (10) days prior to the conference.

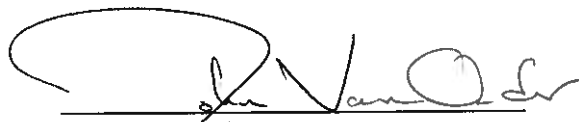
Dated this 21st day of November, 2008



John Westra, Manager Western Region.

CERTIFICATE OF SERVICE

I hereby certify that on this 24 day of November 2008, I mailed a true and correct copy, postage prepaid, of the foregoing **NOTICE OF PREHEARING CONFERENCE** to the person(s) listed below:


John VanOrder

Application for Water Right #67-14952 Prehearing Conference Notice

Mailing List:

David F Robidoux
1827 Deer Creek Road
Weiser ID 83672

Wayne W Williamson
1691 Thousand Springs Road
Weiser ID 83672

Brandi S Horton, Watermaster #67
2574 School RD
Midvale ID 83645

Jim Davies
1709 Deer Creek RD
Weiser ID 83672

CONFERENCE AND HEARING PROCEDURE

APPLICATION FOR PERMIT

Section 42-203A, Idaho Code, requires the Department to consider the following issues in connection with an Application for Permit:

- 1) Will the proposed appropriation injure other water rights?
- 2) Is the proposed water supply sufficient for the purpose for which it is thought to be appropriated?
- 3) Was the application made in good faith or for delay or speculative purposes?
- 4) Does the applicant have sufficient financial resources with which to complete the proposed project?
- 5) Is the proposed appropriation in the local public interest, which is defined as the interests that the people in the area directly affected by the proposed water use have in the effects of such use on the public water resource.
- 6) Is the proposed use contrary to conservation of water resources within the State of Idaho?

BURDEN OF PROOF

The applicant has the initial burden of proof on issues 1, 2, 3, 4 & 6 above and must provide evidence for the Department to evaluate these criteria.

The initial burden of proof on issue 5 above lies with both the applicant and protestant as to factors which they are most knowledgeable and cognizant. The applicant has the ultimate burden of persuasion, however, for this issue.

PROCEDURE

The Department generally conducts an informal conference with the parties to determine the issues and to try to settle a protested matter before a hearing is scheduled. If a hearing is held, the Department will issue a written decision based on the hearing record.

WATER STATUTES (Title 42), PROCEDURE/APPROPRIATION RULES (IDAPA 37)

See --Access IDAHO Website: www.accessidaho.org