

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

**IN THE MATTER OF APPLICATION FOR)
TRANSFER NO. 73951 IN THE NAME OF) **PREHEARING ORDER**
MUD LAKE WATER USERS INC)**

On June 5, 2208, the Applicant, Mud Lake Water Users Inc., through its attorney of record, Robert Harris, Holden Kidwell Hahn & Crapo PLLC, and the protestants, US Fish & Wildlife Service, Lyle R Shupe, Perry Woodard and Sid Ashcraft (absent), requested authorization to conduct discovery from the Idaho Department of Water Resources ("IDWR").

ORDER

IT IS HEREBY ORDERED that the parties to this matter are authorized to engage in discovery beginning on the date of this order.

IT IS FURTHER ORDERED that the parties shall complete discovery on or before **September 6, 2008**.

IT IS FURTHER ORDERED that discovery shall be governed by the Idaho Rules of Civil Procedure. Specifically, depositions of expert witnesses must be taken according to the Idaho Rules of Civil Procedure, and any appropriate fee must be paid as set forth in the Idaho Rules of Civil Procedure.

IT IS FURTHER ORDERED that the parties shall exchange exhibits and witness lists, and provides a copy of proposed exhibits to the hearing officer on or before **September 20, 2008**.

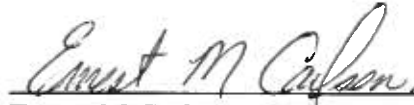
IT IS FURTHER ORDERED that any petition for a declaratory ruling be submitted to the Department with a copy to the protestants by **October 22, 2008**.

IT IS FURTHER ORDERED that responses to the petition for a declaratory ruling be submitted to the Department and a copy to the applicant by **November 20, 2008**.

IT IS FURTHER ORDERED that any response by the applicant to the protestant's response be submitted to the Department by **December 3, 2008**.

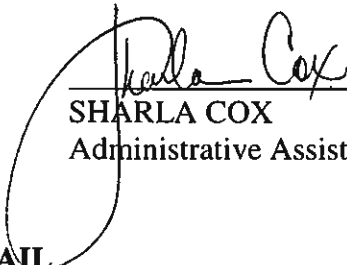
IT IS FURTHER ORDERED that the hearing for this contested case shall be held on **January 27, 2009**. Formal notice of the hearing will be served on the parties at a later date.

Dated this 16th day of July, 2008.



Ernest M Carlsen
Project Manager of Eastern Regional Office

I hereby certify that on the 17th day of July 2008, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed below:



SHARLA COX
Administrative Assistant

CERTIFIED MAIL

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