

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)	ORDER CANCELING
PERMIT TO APPROPRIATE WATER NO.)	AND CONTINUING HEARING
63-32423 IN THE NAME OF JMM DRY)	AND AMENDMENT OF
CREEK, LLC)	DISCOVERY ORDER
_____)	

A hearing for the above titled contested case is scheduled for August 20, 2008 in Boise, Idaho.

On July 31, 2008 the Department received a letter by email from the attorney for the Applicant, JMM Dry Creek, LLC to the attorney for the protestant, Dry Creek Rural Neighborhood Association, requesting that the applicant agreed to "continue the hearing currently scheduled ... to either the next available hearing date, or an early available hearing date.

The purpose for the continuance is to allow the parties time to draft a proposed settlement to resolve the protest for the application on file with the Department.

The Department finds discovery is being conducted by the parties, and that the parties need more time to resolve the protest. The Department also recognizes that the parties need additional time to develop a resolution to the protest. The parties are expected to execute and submit a settlement agreement to the hearing officer for review or reschedule the hearing for November 19-21, 2008. A separate notice of hearing will be sent at a later date.

ORDER

IT IS HEREBY ORDERED that the hearing for the contested case, scheduled for August 20, 2008 is **Canceled** and continued.

IT IS FURTHER ORDERED that the Discovery shall be complete on or before **October 31, 2008**.

IT IS FURTHER ORDERED that the parties shall exchange exhibits and witness lists, and provide a copy to the hearing officer on or before **November 10, 2008**.

Dated this 15th day of August, 2006.



Gary Spackman
Hearing Officer

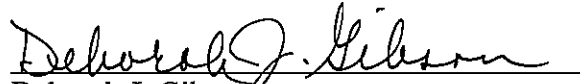
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of August, 2008, a true and correct copy of the foregoing document described below was served on the following as noted:

Document(s) Served: Order Canceling and Continuing Hearing

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Deborah J. Gibson
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