

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

**IN THE MATTER OF APPLICATIONS)
FOR PERMIT NO. 65-23239 & 65-23105) AND TRANSFER NO. 73787 IN THE)
NAME OF EAGLE SPRINGS RANCH)
LLC AND BARNES VENTURES INC)
_____)**

NOTICE OF HEARING

ORDER AUTHORIZING DISCOVERY

On February 27, 2008, Eagle Springs Ranch LLC filed with the Idaho Department of Water Resources (IDWR) applications for permit #65-23239 & #65-23105 to appropriate the public waters of the State of Idaho. An application for transfer #73787 was also filed by Eagle Springs Ranch LLC and Barnes Ventures Inc. to change elements of 4 existing surface water rights. The applications were protested by Jayne Reed. A protest settlement has not been reached.

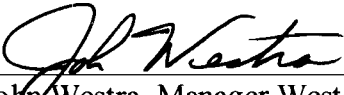
PLEASE TAKE NOTICE that a formal hearing will be held on **Thursday, December 11, 2008, beginning at 9:00 AM at the Idaho Department of Water Resources Western Regional Office, 2735 Airport Way, Boise ID.**

The presiding officer at the hearing will be Gary Spackman.

The hearing will be held in accordance with the provisions of Idaho Code, Chapters 2 and 17, Title 42, Chapter 52, Title 67 and Department Rules of Procedure IDAPA37.01.01. A copy of the code/rules may be obtained from the Department's website www.idwr.state.id.us or upon request. Parties appearing in this matter will have opportunity to present information, examine witnesses, and provide argument relating to the contested application.

The hearing will be conducted in a facility that meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend or participate in the hearing, please advise the Department within 10 days prior of the hearing date.

Dated this 15th day of September 2008.



John Westra, Manager Western Region

Order Authorizing Discovery

On September 3, 2008, the applicants Eagle Springs Ranch LLC and Barnes Ventures Inc through attorney Jeffrey C Fereday of Givens Pursley LLP filed a *Motion to Compel Discovery* with the Idaho Department of Water Resources (IDWR).

ORDER

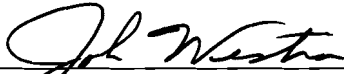
IT IS HEREBY ORDERED that parties to this matter are authorized to engage in discovery beginning on the date of this order.

IT IS FURTHER ORDERED that parties shall complete discovery on or before **November 14, 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 fees must be paid as set forth in the Rules of Procedure.

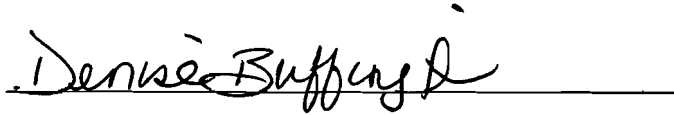
IT IS FURTHER ORDERED that parties shall exchange exhibits and witness lists, and provide a copy of proposed exhibits to the hearing officer on or before **December 2, 2008**.

Dated this 15th day of September, 2008


John Westra, Manager Western Region.

CERTIFICATE OF MAILING

I hereby certify that on the 17th day of September 2008, I mailed a true and correct copy, postage prepaid, of these documents to those on the attached list.



Denise Buffington
Administrative Assistant

Documents Sent

-Notice of Hearing
-Discovery Order

Mailings

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