

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

**IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 63-32423 IN THE) NOTICE OF HEARING
NAME OF JMM DRY CREEK LLC) ORDER AUTHORIZING DISCOVERY
_____)**

On August 22, 2006, JMM Dry Creek LLC filed with the Idaho Department of Water Resources (IDWR) an application for permit for beneficial use of public water in the State of Idaho. The application was protested by Dry Creek Rural Neighborhood Association. A pre-hearing protest conference was held on March 6, 2008. The contested case was not settled.

PLEASE TAKE NOTICE that a formal hearing will be held on **Wednesday, August 20, 2008, beginning at 9:00 AM at the Idaho Department of Water Resources State Office, Idaho Water Center, 322 E Front St, Boise ID.** Parking can be found in the adjacent parking garage; there is a charge for parking.

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 10th day of March 2008.



John Westra, Manager Western Region

Order Authorizing Discovery

On October 11, 2007, the applicant, JMM Dry Creek LLC through their attorney Charles L. Honsinger of Ringert Clark, Chartered 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 **August 1, 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 **August 10, 2008**

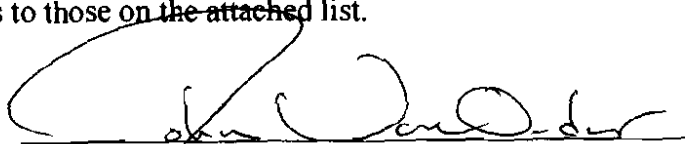
Dated this 10th day of March, 2008



John Westra, Manager Western Region.

CERTIFICATE OF MAILING

I hereby certify that on the 11th day of March, 2008, I mailed a true and correct copy, postage prepaid, of these documents to those on the attached list.



John VanOrder
Office Specialist

Documents Sent

- Notice of Hearing
- Discovery Order

Mailings

Ringert Clark Chtd
Attn: Charles Honsinger
PO Box 2773
Boise Id 83701

Dry Creek Rural Neighborhood Association
Attn: Marian E Shaw,
13975 Broken Horn RD
Boise ID 83714

D. Gibson, SO