

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

IN THE MATTER OF APPLICATION FOR)	NOTICE OF HEARING
EXCHANGE IN THE NAME)	AND GRANTING
<u>OF DKJ FARMS LLC .</u>)	INTERVENOR ORDER

On February 22, 2007, DKJ Farms, LLC. ("applicant"), submitted the above captioned application to the Department of Water Resources ("Department"). The Department subsequently received protests and a petition to intervene against approval of the application. The Department has scheduled a hearing as described below.

IT IS HEREBY ORDERED that the petition to intervene filed by Thomas J Budge of Racine Olson Nye Budge & Bailey Chtd. for Friends of the Moody Creek is **GRANTED** and the intervenor may participate as full parties in this contested case.

NOTICE OF HEARING

PLEASE TAKE NOTICE that a formal hearing will be held on **June 5, 2007, beginning at 9:00 a.m.**, at the Magistrate Court in the Old Magistrate Courtroom, in Rexburg Idaho.

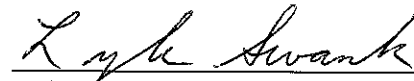
The presiding officer at the hearing will be Allen Merritt.

The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42 and Chapter 52, Title 67, Idaho Code, the adopted Rules of Procedure of the Department and IDAPA 37.03.08040 and 37.03.08045 (Water Appropriation Rules 40 and 45). A copy of the rules is available on the Department's internet website at www.idwr.idaho.gov, or may be obtained from the Department upon request.

All parties appearing in this matter will have the opportunity to present information, examine witnesses, and provide argument on issues related to the appropriation of water this application has bearing on, during the course of this hearing.

The hearing will be conducted in accordance with the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing, please advise the department 5 days prior to the hearing. Inquires about scheduling, hearing facilities, etc., should be directed to Sharla Cox, Administrative Assistant, Idaho Department of Water Resources, 900 N Skyline Dr Ste A, Idaho Falls ID, telephone: (208) 525-7161, fax: (208) 525-7177.

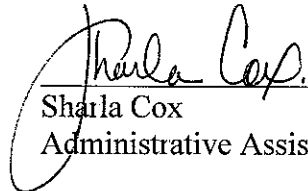
Dated this 9th day of May 2007.

A handwritten signature in cursive script, reading "Lyle Swank", is written over a horizontal line.

Lyle Swank
Eastern Region Manager

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of May, 2007, the above and foregoing document was served on the following by placing a copy of the same in the United States mail, postage prepaid and properly addressed to the following:


Sharla Cox
Administrative Assistant

Thomas J Budge
Racine Olson Nye Budge & Bailey Chartered
PO Box 1391
Pocatello ID 83204-1391

Friends of Moody Creek
James Wood
PO Box 610
Rexburg ID 83440

George Brown MD
1439 Cambridge Dr
Idaho Falls ID 83401

R Scott Wood
2372 N 8000 E
Teton ID 83451

Trent Wood
PO Box 174
Rexburg ID 83440

Jerry Rigby
Rigby Thatcher Andrus Rigby & Moeller Chartered
PO Box 250
Rexburg ID 83440

DKJ Farms LLC
665 Centennial Loop
Rexburg ID 83440