

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

IN THE MATTER OF APPLICATION FOR)
AMENDMENT FOR WATER RIGHT NO.)
75-7052 IN THE NAME OF WILLIAMS)
LAKE RECREATIONAL WATER &)
SEWER DISTRICT)
_____)

**NOTICE OF HEARING,
ORDER AUTHORIZING
DISCOVERY, AND
PREHEARING ORDER**

NOTICE OF HEARING

PLEASE TAKE NOTICE that a formal hearing will be held on **September 26 & 27, 2006, beginning at 9:00 a.m. (MDT) in Salmon, Idaho** at the offices of the North Custer and Lemhi County Economic Development Corp., 803 Monroe St., Salmon, Idaho, (208)756-1505.

For the convenience of parties unable to attend in person, the Department has made available a telephone conference call through AT&T that will allow the out of town parties to participate. Parties wishing to attend telephonically must notify Deborah Gibson at (208) 287-4942 on or before September 21, 2006. Phone participants must call AT&T teleconference services prior to the 9:00 a.m. hearing start time on September 26, 2006, by dialing **(510) 637-7000**, and keying in the following participant access code for this conference: **414387** when the recording prompts. Phone participants will pay the cost of long distance at the rate of the participant's long distance service. Phone participants should plan for two days of long distance charges.

By choosing to attend the hearing telephonically a party assumes the risk of non-

participation in the hearing resulting from failure of the telephonic system, or failure or refusal of a party to remain telephonically connected. Inability to participate because of interrupted telephone service or connection is not cause for a claim of prejudice or request to delay the hearing.

If you plan to offer exhibits for the record at the hearing, note that Rule 606 of the Department's Rules of Procedure requires that a copy be provided to each party and to the presiding officer. The procedure for providing copies to the parties and the hearing officer is described in the prehearing order that follows this notice of hearing.

The presiding officer at the hearing will be Gary Spackman.

The hearing will be held in accordance with the provisions of Chapters 2 and 17, Title 42 and Chapter 52, Title 67, Idaho Code, and the adopted Rules of Procedure of the Department. IDAPA 37.01.01. A copy of the rules may be obtained from the Department upon request.

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 within 10 days prior to the hearing. Inquires about scheduling, hearing facilities, etc., should be directed to Deborah Gibson, Administrative Assistant, Idaho Department of Water Resources, P.O. Box 83720, Boise, Idaho 83720-0098, telephone: (208) 287-4942, fax: (208) 287-6700.

ORDER AUTHORIZING DISCOVERY AND PREHEARING ORDER

IT IS HEREBY ORDERED that the parties may engage in discovery as follows:

1. General discovery can begin immediately.
2. On or before **August 28, 2006**, each party must disclose to all other parties, in writing, the identity of all expert witnesses that will or may testify at the hearing.

3. All written discovery requests shall be served on or before **August 28, 2006**.

Answers to written discovery must be served on the requesting party within fourteen (14) days of service of the request. All responses to discovery shall be served on or before **September 11, 2006**.

4. Written requests for discovery must be either interrogatories or requests for documents. (Requests for admission are not allowed). No more than 10 interrogatories may be served by any party (or the attorney for several parties) on another party, and no more than 10 unanswered interrogatories served by any party (or the attorney for several parties) may be pending. Division of a single interrogatory into more than two sub-questions is not permissible.

5. All depositions shall be complete on or before **September 15, 2006**.

IT IS FURTHER ORDERED that, on or before **September 20, 2006**, each party seeking to offer exhibits at the hearing must physically serve (in the actual physical possession of the person being served) on all other parties and the hearing officer copies of exhibits that may be offered at the hearing. Service of the proposed exhibits will be the method of providing copies of exhibits to the parties as required by Rule 606 of the Rules of Procedure. All parties shall review the proposed exhibits prior to the hearing, and come to the hearing prepared to discuss whether each of the proposed exhibits should be admitted into evidence.

Dated this 21st day of August, 2006.



Gary Spackman
Hearing Officer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of August 2006, a true and correct copy of the above and foregoing document described below 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:

Document(s) Served: Notice of Hearing, Order Authorizing Discovery, and Prehearing Order

GARY C HAWKINS
9 COPPER MTN RD
SALMON ID 83467

KATHLEEN GLIKSMAN
87 DAPPELGRAY LANE
ROLLING HILLS ESTATES CA 90274

LESLIE MAY SHUMATE
139 LAKE CREEK RD
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WILLIAMS LAKE RECREATIONAL
WATER & SEWER DISTRICT
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Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

For Eastern Salmon Division