

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PROTESTED)
APPLICATION FOR PERMIT NO. 37-21278)
IN THE NAME OF MOUNTAIN VIEW WATER CORP)
Applicant)
CLEAR SPRINGS FOODS,)
Protestant)
_____)

NOTICE OF HEARING OFFICER

PRE-HEARING ORDER

On August 31, 2004 Mountain View Water Corporation (applicant), filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. The Department has received a protest against the approval of said application from the above captioned protestant.

On June 22, 2005, all parties attended a pre-hearing conference in Twin Falls. The applicant was represented by attorney Joe James. The protestant was represented by attorney Travis Thompson. The parties did not resolve the protest at the conference. The parties did propose a schedule to follow for conducting this contested case.

Any future hearing in this matter 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 Water Appropriation Rules 40 and 45. A copy of the rules may be obtained from the department upon request. The presiding officer in conducting this contested case and at any future hearing will be **Gary Spackman**. (Idaho Department of Water Resources, The Idaho Water Center 322. E. Front Street, PO Box 83720, Boise, Idaho 83720-0098)

Additionally, after reviewing matters considered at the pre-hearing conference the department issues the following pre-hearing order.

PRE-HEARING ORDER

IT IS THEREFORE, HEREBY ORDERED as follows:

1. The parties shall file all dispositive motions with the hearing office identified above on or before July 22, 2005, with copies to be sent the other party.
2. All responses to the dispositive motions, if any, shall be filed with the hearing officer on or before August 5, 2005, with copies to be sent to the other party.

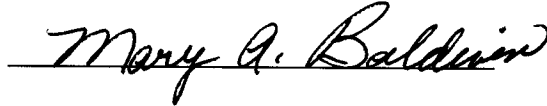
Dated this 22nd day of June, 2005.



Allen Merritt
Pre-Hearing Officer
Southern Regional Manager

CERTIFICATE OF MAILING

I hereby certify that on the 22nd day of June, 2005 a true and correct copy of the above and foregoing document was forwarded with all required charges prepared, by Regular U.S. Mail to the parties listed:

A handwritten signature in cursive script, reading "Mary A. Baldwin", written over a horizontal line.

Mary A. Baldwin
Administrative Assistant I

MOUNTAIN VIEW WATER CORP
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