

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION
FOR TRANSFER NO. 71604

William & Susan Millenkamp,
Applicants

Steven R. Hurd, Lee Justus Halper,
William F. Gulley, Steve R. Matthews, &
Doyle Schwisow

Protestants

NOTICE OF HEARING

SOURCE: Ground water

County: Jerome

On 8/12/2004 William & Susan Millenkamp, (applicants), filed with the Department of Water Resources an application to transfer the public waters of the State of Idaho. The Department has received a protest against the approval of said application from the above captioned protestants. The applicants have waived a Pre-Hearing Conference and have requested that a formal hearing be held.

THEREFORE, The Department has set the matter for hearing on **Thursday - April 21, 2005 at 9:00 a.m. in the City Council Chambers located at 100 East Avenue "A", Jerome ID.**

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 Water Appropriation Rules 40 and 45. A copy of the rules may be obtained from the department upon request. **The presiding officer at the hearing will be Gary Spackman.**

The hearing will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the conference, please advise the department within (10) days prior to the conference.

IT IS HEREBY ORDERED, pursuant to Rule of Procedure 37.01.01510 (Rule of Procedure 510) that each party will mail to Gary Spackman, the hearing officer, at Idaho Department of Water Resources, PO Box 83720; Boise ID 83706, and to the other parties of record the following information as prescribed below:

On or before April 14, 2005 a list of witnesses, including expert witnesses the party will call or rely on.

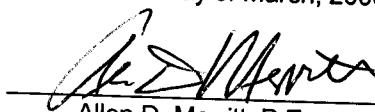
On or before April 14, 2005 copies of documents and proposed exhibits the party may offer at hearing.

The applicant shall pre-mark all proposed documents or exhibits with sequential numbers beginning with "01". The protestant shall pre-mark all proposed documents or exhibits with sequential letters beginning with "A". For contested cases with multiple protestants, each protestant shall precede the letter with their initial. (For example: John Doe's first exhibit or document shall be pre-marked "JD-A").

Failure to comply with this Pre-Hearing Order is cause for the hearing officer to issue a Notice of Proposed Default to dismiss a party's pleading as provided in IDAPA 37.01.01700 (Rule of Procedure 700).

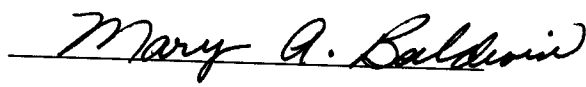
All parties to the matter will have the opportunity to respond and present information and argument on all issues involved. Only witnesses or exhibits properly disclosed will be considered at the hearing.

Dated this 3rd day of March, 2005.


Allen D. Merritt, P.E.
Regional Manager

CERTIFICATE OF MAILING

I hereby certify that on the 3rd day of March, 2005 a true and correct copy of the above and foregoing document was forwarded with all required charges prepared, by U.S. Mail to the parties as listed:


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Administrative Assistant I

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