

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF THE PETITION OF)	
McCAMMON DITCH COMPANY FOR THE)	RESCHEDULING OF
ENFORCEMENT OF DECREE AND ORDER)	PREHEARING CONFERENCE
)	

The prehearing conference scheduled for 10:00 a.m. at Lava Hot Springs on Monday, March 4, 1996 regarding the above referenced matter has been cancelled. The Department plans to reschedule the conference in April of this year. The conference is being rescheduled in order to allow the parties additional time for preparation and to allow time for parties to file written answers to the petition prior to any prehearing conference.

The annual Portneuf River/Water District 29 meeting will be held in the afternoon of March 4 as originally planned (at 2:00 p.m., Community Bldg., Lava Hot Springs).

Notice will be forwarded advising of the new time, date and location of the prehearing conference for the McCammon Ditch Company petition.

DATED this 29 day of February, 1996.



GARY SPACKMAN

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF THE PETITION OF)
McCAMMON DITCH COMPANY FOR THE) NOTICE OF PREHEARING
ENFORCEMENT OF DECREE AND ORDER) CONFERENCE
)

On February 14, 1995, McCammon Ditch Company (McCammon) filed a Petition for Enforcement of Decree and Order with the Department of Water Resources (Department). The petition states that an order requiring installation and maintenance of headgates, controlling works and measuring devices, was issued by the Director on October 5, 1990, and alleges water users diverting water from the Portneuf River and its tributaries have not complied with the order, and that the Department has failed to enforce the order. The petition specifically alleges: (1) Portneuf Marsh Valley Canal Co. (PMV) has failed to develop a stage-storage relationship as required by the October 5, 1990 order; (2) Portneuf Irrigating Company (PIC) and PMV have failed to install adequate measuring devices to properly regulate the division of the PIC and PMV water; and (3) PMV has expanded its storage and irrigation rights, and the expanded storage and irrigation rights have and are being improperly delivered without loss down the Portneuf River channel.

The Department has scheduled a prehearing conference regarding the petition which will be conducted on March 4, 1996 at the hour of 10:00 a.m. at Victoria's Crossing (the old Chuckwagon Cafe), 211 East Main, Lava Hot Springs, Idaho. Please plan to attend this meeting prior to the Portneuf River water district meeting in the afternoon. Any resolution of the issues stated above may affect the scheme of water delivery on the Portneuf River.

Rule 270.01 of the Department's Rules of Procedure (IDAPA 37.01.01.270.01) states that answers to a petition must be filed with the Department and served on all the parties within twenty-one (21) days of the date of service of the initial petition "unless order or notice modifies the time within which answer may be made" The time for filing an answer is extended to twenty-one days following the prehearing conference, or service of the petition on a party, whichever is later.

The conference 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 prior to the conference.

DATED this 27th day of February, 1996.


GARY SPACKMAN

CERTIFICATE OF MAILING

I do hereby certify, that on this 27th day of February, 1996, I mailed a true and correct copy, postage prepaid of the foregoing **NOTICE OF PREHEARING CONFERENCE** to the following:

Jeff Allan
1259 E Merrill Ext
McCammon ID 83250

Iris Alley
Lava Hot Springs ID 83246

Ken Andrus
6948 E Old Oregon Trail Rd
Lava Hot Springs ID 83246

Jim Andrus
Rt 1
Lava Hot Springs ID 83246

Frank Archer
1060 Stakler Rd
Bancroft ID 83217

Albert B Avaneffian
Toponce Rd
Bancroft ID 83217

Leland Avery
Lava Hot Springs ID 83246

Gordon Avery
2893 E Price Rd
McCammon ID 83250

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Erma Banks
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Dean Bollinger
6555 S Old Hwy 91
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Joseph Charles Burgess
5731 S Old Hwy 91
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Chesterfield Canal Co.
C/O Daniel Davids
19 N 4 W
Lava Hot Springs ID 83246

Allan Christensen
Lava Hot Springs ID 83246

Ellis Christensen
Lava Hot Springs ID 83246

Nyle Crump
1260 Chesterfield Rd
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Florence Davids
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Dempsey Irrigation Co
C/O Earl Smith
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Fishcreek Irrigation
C/O Wallace Whitehead
Lava Hot Springs ID 83246

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King Creek Grazing
C/O Steve Hebdon
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Koester Farms Inc
Rt 1
Downey ID 83234

Lava Irrigation Co
C/O Trish Avery
Box 182
Lava Hot Springs ID 83246

McCammon Ditch Co
C/O Byron Allen
McCammon ID 83250

Fagnant & Olson Farm
Lava Hot Springs ID 83246

Norman Frank
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Blackfoot ID 83221

Howard Hall
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KV Hansen
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PMV Canal Co
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Downey ID 83234

Fawn Potter
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Wallace Roberts
Rt 1 Box 33
Aberdeen ID 83210

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Rondo Perkins
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Carl Phillips
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