

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

**IN THE MATTER OF APPLICATIONS)
FOR PERMIT 74-16468 AND 74-16469)
IN THE NAME OF RONALD E BYERS)
_____)**

**NOTICE OF HEARING AND
SCHEDULING ORDER**

NOTICE OF HEARING

On May 25, 2023, Ronald E. Byers filed Applications for Permit 74-16468 and 74-16469 with the Idaho Department of Water Resources ("Department"). A protest was filed against each application by Rohn and Lori Nelson. An informal settlement conference was held on October 3, 2023. A prehearing conference was held on December 5, 2023.

The parties have requested that an administrative hearing be held to decide these protested matters. Pursuant to Rule 555 of the Department's Rules of Procedure (IDAPA 37.01.01), these applications have been consolidated for hearing. The department has scheduled these consolidated applications for hearing on **April 11, 2024, beginning at 9:00 am at Idaho Department of Fish and Game Salmon Office; 99 Hwy 93 North, Salmon, ID.**

The presiding officer at the hearing will be James Cefalo, whose mailing address is 900 N Skyline Dr, Ste A, Idaho Falls, ID 83402.

The hearing will be held in accordance with the provisions of Chapters 2 and 17, Title 42 and Chapter 52, Title 67, Idaho Code, the department's Rules of Procedure (IDAPA 37.01.01), and the department's Water Appropriation Rules (IDAPA 37.03.08). A copy of the code and rules may be obtained from the department's website, www.idwr.idaho.gov, or upon request.

All parties appearing in the matter will have the opportunity to present information, examine witnesses, and provide argument on issues related to the contested application.

The hearing will be conducted in a facility that satisfies 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 notify the department at least (10) days prior to the hearing. Inquiries about scheduling or hearing facilities should be directed to Christina Henman at (208) 525-7161.

SCHEDULING ORDER

1. On or before March 28, 2024, each party must disclose to all other parties and the hearing officer, in writing, the identity of all witnesses that may testify for the party at the hearing and provide a copy of all proposed exhibits. These documents may be served electronically, but the parties must bring two extra copies of their proposed exhibits to the hearing (one copy for the witness stand and one copy for the hearing officer.)
2. To avoid duplication of exhibit numbers, the parties should use the following numbers for proposed exhibits:

Applicant Ronald E. Byers
Protestants Rohn and Lori Nelson

Exhibits 1-100
Exhibits 101-200

Dated this 20th day of December, 2023



James Cefalo
Hearing Officer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of December, 2023, true and correct copies of the documents described below were served by placing a copy of the same with the United States Postal Service, certified mail with return receipt requested, postage prepaid and properly addressed to the following:

Document Served: Notice of Hearing and Scheduling Order

CERTIFIED MAIL

RONALD E BYERS
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Christina Henman
Administrative Assistant