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DEPARTMENT OF
WATER RESOURCES

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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF APPLICATION FOR
TRANSFER 89232 IN THE NAME OF
GOOD TIMBER RANCH, LLC

**MOTION TO AMEND HEARING
SCHEDULE**

Good Timber Ranch, LLC (“Good Timber”), by and through counsel, requests the Hearing Officer amend the current hearing schedule and reset the hearing dates from July 22 – 24, 2025, to October 27 – 31, 2025, and adopt the below amended scheduling deadlines, thereby replacing and resetting the schedule set forth in the Hearing Officer’s February 26, 2025, *Notice of Hearing and Scheduling Order*. There is good cause to reset the hearing dates as both parties require additional time to perform discovery, draft expert reports, and perform a site visit as the Good Timber property.

Due to a scheduling conflict with one of the expert witnesses retained by Good Timber, counsel for Good Timber and counsel for protestants Georgie Stanley, Susan Miller, the Maguire Family Trust, Raft Rivers, Ainsely Rivers, and Gregory Collins (collectively, the “Neighbors”) agreed to change the hearing date to October 27 – 31, 2025. Counsel then began working collaboratively to amend the pre-hearing schedule based on the new hearing dates. During this process, counsel for the Neighbors relayed to counsel for Good Timber that they would not stipulate to an amended schedule until the Hearing Officer addresses the Neighbors’ Motion for Stay.

Good Timber opposes the Neighbors' Motion for Stay request, for the reasons set forth in Good Timber's Opposition to Motion for Stay filed concurrently herewith. Further, Good Timber is dismayed by the change of course by the Neighbors, after agreeing verbally to change the hearing date and the pre-hearing schedule. Good Timber's experts cannot wait until a decision is entered on the Motion for Stay to find out when their expert reports are due. Therefore, Good Timber respectfully requests that the Hearing Officer amend the prehearing schedule and the hearing dates set forth below.

All parties, the Hearing Officer, and Department staff will benefit from amending the hearing dates to October 27 – 31, 2025, and from amending the pre-hearing schedule as set forth below. As noted above, the Neighbors verbally agreed to the new hearing dates and the parties confirmed the availability of the Hearing Officer and Department staff. In reliance thereon, neither party has submitted expert and rebuttal reports based on the current hearing schedule. Similarly, the site visit requested by the Neighbors was not held based on the verbal agreement to amend the hearing schedule. Clearly, all parties would benefit from resetting the hearing schedule, which will not cause prejudice to the Neighbors or any other party.

As of the filing of this motion, the proposed amended hearing schedule gives the parties the following amounts of time to accomplish the prehearing tasks before the hearing begins October 27, 2025: (1) 46 days to serve written discovery; (2) 63 days to submit expert reports; (3) 76 days to provide written responses to discovery; (4) 91 days to submit rebuttal reports; (5) 112 days to conclude depositions; and (6) 122 days to submit prehearing disclosures. The time allotted under the proposed schedule is similar to that in the February 26th scheduling order, and the parties have already performed some discovery.

PROPOSED AMENDED SCHEDULING ORDER

1. Discovery may continue. Written discovery requests must be served on or before August 28, 2025, 60 days before the hearing.
2. Responses to written discovery must be served on the requesting party within 30 days of the discovery request. Therefore, written discovery will be completed by July 29, 2025.
3. Expert Reports, if any are prepared, must be served on the other parties and the hearing officer on or before August 15, 2025. Any expert called to testify at the hearing must provide either an expert report or a rebuttal expert report setting forth their expert opinion.

4. Rebuttal expert reports, if any are prepared, must be served on the other parties and the hearing officer on or before September 12, 2025.
5. Depositions of expert or lay witnesses must be completed on or before October 3, 2025.
6. On or before October 13, 2025, 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 the proposed exhibits to the hearing (one copy for the witness stand and one copy for the hearing officer).
7. To avoid duplication of numbers, the parties should use the following numbers for proposed exhibits:
 - a. Applicant Good Timber Exhibits 1 – 100
 - b. North Protestants/Good Neighbors Exhibits 101 – 200
 - c. Protestant Gebhardt Exhibits 201 – 300

CONCLUSION

For the foregoing reasons, Good Timber respectfully requests the Hearing Officer adopt the above amended hearing schedule and issue an order consistent therewith. Should the Department grant the Neighbors' Motion for Stay, Good Timber will cooperatively work with the Department and the Neighbors on an amended hearing schedule to take effect when the stay is lifted.

RESPECTFULLY SUBMITTED this 13th day of June 2025.

RACINE OLSON, PLLP

By: 
Elisheva M. Patterson
Attorneys for Good Timber Ranch, LLC

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of June 2025, I served the foregoing document on the persons below via email at the address shown:



Elisheva M. Patterson

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