

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

**IN THE MATTER OF DISTRIBUTION  
OF WATER TO WATER RIGHT NOS.  
85-15730 (ARD) AND 85-15851 (BOWEN)**

**NOTICE OF  
PREHEARING CONFERENCE**

On July 25, 2025, David Ard and Mark (Jim) Bowen (“Petitioners”) submitted a *Petition for Delivery Call* with the Idaho Department of Water Resources (“Department”), pursuant to the Department’s Rules for Conjunctive Management of Surface and Ground Water Resources (IDAPA 37.03.11). On September 15, 2025, Department staff returned the petition unprocessed because it was missing required information. On October 7, 2025, Petitioners filed an amended *Petition for Delivery Call* with the Department, listing Lewiston Orchards Irrigation District as the sole respondent. On February 6, 2026, Petitioners filed a second amended *Petition for Delivery Call* (“Petition”) listing Lewiston Orchards Irrigation District, Flying B Family Farms LLC, David & Susan Smith, Gregory E Phillips, Mark & Joan Wittman, Red Pheasant Water Co LLC, Tammany View LLC, Verl Long, Brent & Linda Schumacher, Richard Kelly & Connie Kelly Revocable Living Trust, Idaho Department of Lands, Tyler Smith & Amberlea Doyle, Dave Howell, Kenneth Humiston, Michael Albright, Trever Yochum, Progressive Development LLC, and Joseph F Kaufman as potential respondents.

The Department has scheduled this matter for a prehearing conference on **April 14, 2026, beginning at 1:00 pm (MDT)**. Consistent with the Department’s Rules of Procedure, any business entity (corporation, LLC, trust, partnership, etc.) that wishes to participate in the prehearing conference must be represented by an attorney.

Please use the following numbers to participate via Webex. Participation options are detailed in a separate document included with this notice.

**Meeting number (access code): 2865 168 0739  
Meeting password: 2026**

The presiding officer will be James Cefalo.

Agenda items for the prehearing conference will include:

1. Identify spokesperson and/or counsel representing the parties,
2. Identify primary issues of the case and discuss discovery needs,
3. Designate date for identifying witnesses and exhibits,
4. Designate target date for conducting administrative hearing if resolution is not possible during the prehearing conference, and
5. Address other matters that may expedite orderly conduct and disposition of the proceeding.

It is important for all parties to give considerable thought to each of these matters before appearing at the prehearing conference.

The Department encourages the parties to discuss and resolve the concerns before the prehearing conference. If private discussions are not possible or do not resolve the concerns, the Department's Rules of Procedure provide for a prehearing conference to be held before scheduling a formal hearing.

If you have an email address that you would like added to the certificate of service or to request an emailed notice and calendar invitation with a click-to-join link for this conference, please contact Christina Henman at [christina.heman@idwr.idaho.gov](mailto:christina.heman@idwr.idaho.gov) or 208-525-7161.

The prehearing conference 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 prehearing conference, please notify the Department at least ten (10) days prior to the hearing. Inquiries about scheduling, hearing facilities, etc., should be directed to Christina Henman.

Dated this 18<sup>th</sup> day of March 2026

A handwritten signature in black ink, appearing to read 'J. Cefalo', written over a horizontal line.

James Cefalo  
Eastern Regional Manager

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 18<sup>th</sup> day of March 2026, true and correct copies of the documents described below were served by the method indicated upon the following:

Documents Served: Notice of Prehearing Conference

|                                                                                                                                                                                                         |                                                                                                             |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|
| DAVID R ARD<br>3627 23 <sup>RD</sup> ST<br>LEWISTON, ID 83501<br><a href="mailto:Daveard65@gmail.com">Daveard65@gmail.com</a><br><br><i>Petitioner</i>                                                  | <input checked="" type="checkbox"/> U.S. Mail, postage prepaid<br><input checked="" type="checkbox"/> Email |
| MARK J BOWEN<br>2304 GRELLE AVE<br>LEWISTON, ID 83501<br><a href="mailto:mjimbowen@gmail.com">mjimbowen@gmail.com</a><br><br><i>Petitioner</i>                                                          | <input checked="" type="checkbox"/> U.S. Mail, postage prepaid<br><input checked="" type="checkbox"/> Email |
| LEWISTON ORCHARDS IRRIGATION DISTRICT<br>FRANK MARESCA<br>BARNEY METZ<br>1520 POWERS AVE<br>LEWISTON, ID 83501<br><a href="mailto:barneymetz@loid.net">barneymetz@loid.net</a><br><br><i>Respondent</i> | <input checked="" type="checkbox"/> U.S. Mail, postage prepaid<br><input checked="" type="checkbox"/> Email |
| FLYING B FAMILY FARMS LLC<br>369 LYTLE CREEK RD<br>LYTLE CREEK, CA 92358<br><a href="mailto:reeneb@innovacyn.com">reeneb@innovacyn.com</a><br><br><i>Respondent</i>                                     | <input checked="" type="checkbox"/> U.S. Mail, postage prepaid<br><input checked="" type="checkbox"/> Email |
| DAVID & SUSAN SMITH<br>60832 VOMER RD<br>LEWISTON, ID 83501<br><br><i>Respondent</i>                                                                                                                    | <input checked="" type="checkbox"/> U.S. Mail, postage prepaid                                              |
| GREGORY E PHILLIPS<br>800 TAMMANY RIDGE RD<br>LEWISTON, ID 83501<br><br><i>Respondent</i>                                                                                                               | <input checked="" type="checkbox"/> U.S. Mail, postage prepaid                                              |
| RED PHEASANT WATER CO LLC<br>1065 HARVEST MOON LN<br>LEWISTON, ID 83501<br><br><i>Respondent</i>                                                                                                        | <input checked="" type="checkbox"/> U.S. Mail, postage prepaid                                              |
|                                                                                                                                                                                                         |                                                                                                             |

|                                                                                                                                                                                                                                        |                                                                                                             |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|
| MARK & JOAN WITTMAN<br>6045 CACTUS LN<br>LEWISTON, ID 83501<br><a href="mailto:Markwitman5499@gmail.com">Markwitman5499@gmail.com</a><br><a href="mailto:joaniewittman@gmail.com">joaniewittman@gmail.com</a><br><br><i>Respondent</i> | <input checked="" type="checkbox"/> U.S. Mail, postage prepaid<br><input checked="" type="checkbox"/> Email |
| TAMMANY VIEW LLC<br>PO BOX 356<br>GRANGEVILLE, ID 83530<br><br><i>Respondent</i>                                                                                                                                                       | <input checked="" type="checkbox"/> U.S. Mail, postage prepaid                                              |
| VERL LONG<br>15219 GRAY CHUCKAR DR<br>LEWISTON, ID 83501<br><br><i>Respondent</i>                                                                                                                                                      | <input checked="" type="checkbox"/> U.S. Mail, postage prepaid                                              |
| BRENT & LINDA SCHUMACHER<br>269 BARNABY CREEK DR<br>INCHELIUM, WA 99138<br><a href="mailto:bas@koelschconstruction.com">bas@koelschconstruction.com</a><br><br><i>Respondent</i>                                                       | <input checked="" type="checkbox"/> U.S. Mail, postage prepaid<br><input checked="" type="checkbox"/> Email |
| RICHARD KELLY & CONNIE KELLY<br>REVOCABLE LIVING TRUST<br>30080 VOLMER RD<br>LEWISTON, ID 83501<br><a href="mailto:Rick.kelly4@gmail.com">Rick.kelly4@gmail.com</a><br><br><i>Respondent</i>                                           | <input checked="" type="checkbox"/> U.S. Mail, postage prepaid<br><input checked="" type="checkbox"/> Email |
| IDAHO DEPARTMENT OF LANDS<br>PO BOX 83702<br>BOISE, ID 83702<br><br><i>Respondent</i>                                                                                                                                                  | <input checked="" type="checkbox"/> U.S. Mail, postage prepaid                                              |
| TYLER SMITH & AMBERLEA DOYLE<br>3982 BLUE GRASS LN,<br>LEWISTON, ID 83501<br><a href="mailto:addoyle@lcmail.lcsc.edu">addoyle@lcmail.lcsc.edu</a><br><br><i>Respondent</i>                                                             | <input checked="" type="checkbox"/> U.S. Mail, postage prepaid<br><input checked="" type="checkbox"/> Email |
| DAVE HOWELL<br>29978 THIESSEN RD<br>LEWISTON, ID 83501<br><a href="mailto:Buzzmclennan13@gmail.com">Buzzmclennan13@gmail.com</a><br><br><i>Respondent</i>                                                                              | <input checked="" type="checkbox"/> U.S. Mail, postage prepaid<br><input checked="" type="checkbox"/> Email |
|                                                                                                                                                                                                                                        |                                                                                                             |

|                                                                                                                                                                   |                                                                                                             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|
| KENNETH HUMISTON<br>940 EAGLES POINTE BLVD<br>LEWISTON, ID 83501<br><a href="mailto:humiston@hotmail.com">humiston@hotmail.com</a><br><br><i>Respondent</i>       | <input checked="" type="checkbox"/> U.S. Mail, postage prepaid<br><input checked="" type="checkbox"/> Email |
| MICHAEL ALBRIGHT<br>988 EAGLES POINTE BLVD<br>LEWISTON, ID 83501<br><a href="mailto:mikea@mlalbright.com">mikea@mlalbright.com</a><br><br><i>Respondent</i>       | <input checked="" type="checkbox"/> U.S. Mail, postage prepaid<br><input checked="" type="checkbox"/> Email |
| TREVER YOCHUM<br>1030 EAGLE POINTE BLVD<br>LEWISTON, ID 83501<br><a href="mailto:Trever.yochum@yahoo.com">Trever.yochum@yahoo.com</a><br><br><i>Respondent</i>    | <input checked="" type="checkbox"/> U.S. Mail, postage prepaid<br><input checked="" type="checkbox"/> Email |
| PROGRESSIVE DEVELOPMENT LLC<br>3745 SKYVIEW DR<br>LEWISTON, ID 83501<br><a href="mailto:gaylonwaits@gmail.com">gaylonwaits@gmail.com</a><br><br><i>Respondent</i> | <input checked="" type="checkbox"/> U.S. Mail, postage prepaid<br><input checked="" type="checkbox"/> Email |
| JOSEPH F KAUFMAN<br>30305 KAUFMAN LN<br>LEWISTON, ID 83501<br><a href="mailto:jfkaufman@gmail.com">jfkaufman@gmail.com</a><br><br><i>Respondent</i>               | <input checked="" type="checkbox"/> U.S. Mail, postage prepaid<br><input checked="" type="checkbox"/> Email |

---

Christina Henman  
Administrative Assistant

## **TO USE WEBEX**

**Meeting number (access code): 2865 168 0739**

**Meeting password: 2026**

### **Using Your Computer:**

- Calendar invitations were sent to email addresses provided. Simply click the link included to join the meeting, and follow on-screen instructions.

### **Using the Mobile app:**

- Download WebEx Meetings to your mobile device. (App is free.)
- Click Join Meeting.
- Enter Meeting Number, name, and email address.
- Click 'join'.
  - If you intend to share documents, maps, images, etc. please ensure that you have granted the WebEx app the appropriate permissions to access those documents before the meeting.

### **Using Your Telephone: (No video or internet required)**

- Call 1-415-655-0001
- Follow Prompts

**More options are included in the emailed link. If you have any questions, need a copy of the invitation sent to another email address, or otherwise need the link, feel free to contact Christina Henman at (208) 525-7161 or [christina.henman@idwr.idaho.gov](mailto:christina.henman@idwr.idaho.gov).**