

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

IN THE MATTER OF DISTRIBUTION OF WATER) **CM-DC-2011-003**
TO WATER RIGHTS NOS. 36-07072 AND)
36-08356) **NOTICE OF PREHEARING**
(SEAPAC OF IDAHO)) **CONFERENCE AND PROPOSED**
_____) **SCHEDULING ORDER**

PLEASE TAKE NOTICE that the Interim Director of the Department of Water Resources has set a prehearing conference and scheduling conference in this matter for **August 8, 2011, starting at 2:00 pm (MDT)** at the Department's offices located at 322 E. Front Street, Boise, Idaho, in the Director's Conference Room located on the 6th floor.

All parties to the matter must be represented at the conference in person or by telephone. If participating by telephone, please dial (215) 446-0193 and provide participant code 961319 followed by the # sign.

The parties at the prehearing conference shall be prepared to: (1) identify the issues they anticipate raising at the hearing to be conducted in this matter; (2) discuss the proposed scheduling order; (3) address ways to avoid unnecessary proof and submission of cumulative evidence; and (4) discuss any other matters that will expedite the disposition of the case. The parties are encouraged to coordinate prehearing schedules prior to the conference.


The conference will be conducted in accordance with 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 five (5) days prior to the conference. Inquires for special accommodations should be directed to Victoria Wigle, Administrative Assistant to the Director, Idaho Department of Water Resources, P.O. Box 83720, Boise, Idaho 83720-0098, telephone: (208) 287-4803, fax: (208) 287-6700.

Proposed Scheduling Order

August 9, 2011 Discovery opens;
August 23, 2011 Deadline to identify expert witnesses to testify at hearing;

October 7, 2011 Deadline for submitting expert reports;
November 4, 2011 Deadline for rebuttal expert reports;
December 2, 2011 Deadline for IDWR staff memorandum regarding expert reports;
December 30, 2011 Deadline for response to IDWR's staff memorandum;
January 13, 2012 Deadline for filing dispositive motions;
February 13, 2012 Hearing on dispositive motions at 2:00 p.m. at IDWR (if necessary);
March 5, 2012 Deadline to complete discovery; deadline to submit witness list (non-expert) and exhibit list to IDWR and parties; deadline to provide copies of exhibits to IDWR and parties;
March 12, 2012 Prehearing conference at 2:00 p.m. at IDWR; deadline to submit opening brief / trial brief (if desired); and
March 19 through
March 23, 2012 Hearing will commence immediately upon conclusion of the hearing in CM DC 2011-02 (John Jones). If CM DC 2011-2 (John Jones) does not go to hearing, this hearing will commence at 9:00 am on March 19, 2012.

Dated this 25th day of July, 2011.



Gary Spackman
Interim Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of July 2011, the above and foregoing, was served by the method indicated below, and addressed to the following:

RANDY BUDGE
CANDICE MCHUGH
RACINE OLSON
PO BOX 1391
POCATELLO ID 83204-1391
rcb@racinelaw.net
cmm@racinelaw.net

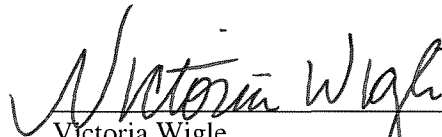
U.S. Mail, Postage Prepaid
 Facsimile
 E-mail

MIKE CREAMER
JEFF FEREDAY
GIVENS PURSLEY
PO BOX 2720
BOISE ID 83701-2720
(208) 388-1300
mcc@givenspursley.com
jefffereday@givenspursley.com

U.S. Mail, Postage Prepaid
 Facsimile
 E-mail

GEOFFREY WARDLE
HAWLEY TROXELL
PO BOX 1617
BOISE ID 83701-1617
gwardle@hawleytroxell.com

U.S. Mail, Postage Prepaid
 Facsimile
 E-mail


Victoria Wigle
Administrative Assistant to the Director
Idaho Department of Water Resources