

**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 ) **SCHEDULING ORDER**  
)  
(SEAPAC OF IDAHO) )  
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A prehearing conference was held on August 8, 2011, concerning the delivery call made by SeaPac of Idaho, Inc. (“SeaPac”). Participants included: Geoff Wardle and Jake McGrady, attorneys for SeaPac and John and Deloris Jones (“Jones”); Randy Budge and Candice McHugh, attorneys for Idaho Ground Water Appropriators Inc. (“IGWA”); David Shaw, consultant with ERO Resources; Phil and Nancy Gossi, representatives for Jones; Ken Ashley and Wendell Starke, representatives for SeaPac; Garrick Baxter, attorney for IDWR; and appearing telephonically were Justin May, attorney for Rangen, Inc. and Bill Parsons, attorney for Southwest Irrigation District.

SeaPac asked that the schedule proposed in the Department’s *Notice of Prehearing Conference and Proposed Scheduling Order* be extended by one month to due to conflicts. No object was raised by IGWA. The parties agreed on additional changes to the proposed schedule.

**ORDER**

Based on the foregoing, IT IS HEREBY ORDERED that this matter will proceed as follows:

- August 9, 2011      Discovery opens;
- August 23, 2011    Deadline to identify expert witnesses to testify at hearing;
- December 15, 2011   Deadline for submitting expert reports;
- January 20, 2012    Deadline for rebuttal expert reports;
- February 21, 2012   Deadline for IDWR staff memorandum regarding expert reports;
- March 1, 2012      Deadline for filing dispositive motions. This is a deadline and does not preclude an earlier filing;

March 16, 2012 Deadline for filing response to dispositive motions. No reply briefs will be allowed;

March 20, 2012 Deadline for response to IDWR's staff memorandum;


March 21, 2012 Hearing on dispositive motions at 2:00 p.m. at IDWR (if necessary);

April 2, 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;

April 9, 2012 Prehearing conference at 2:00 p.m. at IDWR; deadline to submit opening brief / trial brief (if desired); and

April 16 through April 27, 2012 Hearing will commence immediately upon conclusion of the hearing in CM DC 2011-02 (John Jones). If CM DC 2011-02 (John Jones) does not go to hearing, this hearing will commence at 9:00 a.m. on April 16, 2012. Interim Director Gary Spackman will be the presiding officer.

Dated this 10 day of August, 2011.

  
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Gary Spackman  
Interim Director

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 10<sup>th</sup> day of August 2011, the above and foregoing, was served by the method indicated below, and addressed to the following:

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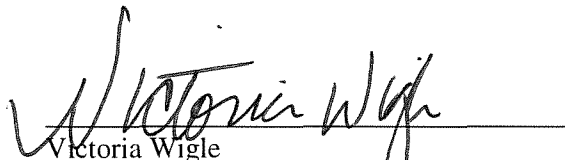
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