

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

FOR THE STATE OF IDAHO

IN THE MATTER OF THE MITIGATION
PLAN FILED BY MCCAIN FOODS USA, INC.

Docket No. CM-MP-2015-002

**NOTICE OF HEARING, NOTICE OF
PRE-HEARING, AND SCHEDULING
ORDER**

On January 8, 2016, the Director ("Director") of the Idaho Department of Water Resources ("Department") held a Scheduling Conference in the above-captioned matter at the Department's State Office in Boise, Idaho. All parties were present either in person or by telephone. Counsel for McCain Foods USA, Inc. ("McCain Foods"), proposed that a hearing be scheduled on May 4 & 5, 2016 and discussed deadlines for hearing preparation.

NOTICE OF HEARING

A hearing on McCain Foods' Mitigation Plan is scheduled for **May 4 & 5, 2016, beginning at 9:00 a.m.**, at the Department's State Office, located at 322 E. Front Street, 6th Floor Conference Rooms C and D, Boise, Idaho. The presiding officer at the hearing will be Director Gary Spackman.

The hearing will be held in accordance with provision of Chapters 2 and 17, Title 42 and Chapter 52, Title 67, Idaho Code, and the adopted Rules of Procedure of the Department. IDAPA 37.01.01. A copy of the Rules of Procedure may be obtained from the Department upon request.

The hearing will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing, please contact Deborah Gibson at (208) 287-4800, no later than five (5) days prior to the hearing.

All parties appearing in this matter will have the opportunity to present information, examine witnesses, and argue issues related to McCain Foods' Mitigation Plan during the course of the hearing.

NOTICE OF PRE-HEARING CONFERENCE

A pre-hearing conference is scheduled for **April 25, 2016, at 1:30 p.m.**, at the Department's State Office, located at 322 E. Front Street, 6th Floor, Director's Conference Room, Boise, Idaho.

All parties to this matter must be represented at the pre-hearing conference in person or by telephone. If participating by telephone dial **1-720-279-0026** and when prompted enter guest code **321188#**.

The pre-hearing conference will be held in accordance with provision of Chapters 2 and 17, Title 42 and Chapter 52, Title 67, Idaho Code, and the adopted Rules of Procedure of the Department (IDAPA 37.01.01). A copy of the Rules of Procedure may be obtained from the Department upon request.

The pre-hearing conference will be conducted in a facility that meets 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 contact Deborah Gibson at (208) 287-4803, no later than five (5) days prior to the conference.

SCHEDULING ORDER

The Director adopts the schedule proposed by the parties. Pursuant to Rule 521 of the Department's Rules of Procedure, the Director also authorizes the commencement of discovery. The schedule is as follows:

- **January 12, 2016** – Discovery begins.
- **March 2, 2016** – Disclosure of experts and expert reports due.
- **March 23, 2016** – Disclosure of rebuttal experts and lay witnesses and expert rebuttal reports due.
- **April 20, 2016** – Exhibits exchanged.
- **April 25, 2016 at 1:30 p.m.** – Pre-hearing conference.
- **May 4, 2016 at 9:00 a.m.** – Hearing begins and may continue on May 5, 2016. Each party is required to provide three copies of their exhibits to the Department prior to the start of the hearing.

ORDER

Based upon the foregoing, IT IS HEREBY ORDERED that the above schedule is ADOPTED.

DATED this 20th day of January 2016.


GARY SPACKMAN
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of January 2016, I served a true and correct copy of the foregoing document on the parties listed below by the method(s) indicated.

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