#### BEFORE THE DEPARTMENT OF WATER RESOURCES

## OF THE STATE OF IDAHO

IN THE MATTER OF ACCOUNTING	)	
FOR DISTRIBUTION OF WATER	)	SCHEDULING ORDER;
TO THE FEDERAL ON-STREAM	)	NOTICE OF HEARING;
RESERVOIRS IN WATER	)	ORDER AUTHORIZING
DISTRICT 01	)	DISCOVERY
	)	

On October 6, 2014, the Director ("Director") of the Idaho Department of Water Resources ("Department") held a status conference in this matter. The participants agreed to a hearing schedule and addressed certain procedural matters.

On October 7, 2014, the Director held a status conference in the matter of accounting for distribution of water to the federal on-stream reservoirs in Water District 63. A question was raised at that status conference regarding how to identify individuals and entities that wish to participate in the scheduled hearing. As was done in that matter, the Director will set a deadline of October 22, 2014, for those individuals and entities that wish to participate in the hearing in this matter to submit a Notice of Intent to Participate.<sup>1</sup>

In accordance with the foregoing, the Director adopts the following schedule:

October 22, 2014	Deadline for individuals and entities that wish to participate in the hearing to submit a Notice of Intent to Participate
October 27, 2014	Deadline for filing pre-hearing/dispositive motions
November 3, 2014	Department staff memo due

Idaho Power Company filed a notice of intent to participate on December 4, 2013. South Fork Water Users filed a letter requesting participation dated December 4, 2013. The Director will accept these documents as appropriate notice of intent to participate and no further filings are necessary for these entities to participate. Idaho Ground Water Appropriators, Inc., filed a petition to intervene on November 1, 2013. The City of Pocatello filed a petition to intervene on November 20, 2013. Aberdeen-Springfield Canal Companies filed a petition to intervene on December 9, 2013. United Water Idaho, Inc., filed a petition to intervene on October 6, 2014. No opposition to these requests was received. The requests to intervene will be addressed by separate order of the Director.

November 10, 2014 Deadline to file a response to pre-

hearing/dispositive motions (according to IDAPA

37.01.01.270.02)

**November 24, 2014** Deadline to file responses to Department staff

memo (responses must include a statement of

issues)

**December 8, 2014** Deadline to file replies to responses to

Department staff memo

**January 7, 2015** Prehearing conference and deadline for

completion of discovery. The prehearing conference will be held at 10:00 a.m. at the

Department's State Office, located at 322 E. Front Street in the 6<sup>th</sup> Floor Director's Conference Room, Boise, Idaho. Telephone participation is available by calling **1-215-446-0193** and entering

the participant code when prompted: 275568#

January 14-16, & 20, 2015

Hearing

### NOTICE OF HEARING

The Director hereby provides notice that the hearing set for **January 14-16 and 20, 2015**, **will begin at 9:00 a.m.**, at the Idaho Fish & Game, Southeast Region, 1345 Barton Rd., Kinport #4 Conference Room, Pocatello, Idaho. The presiding officer at the hearing will be Director Gary Spackman.

If you plan to offer exhibits for the record at the hearing, note that Rule 606 of the Department's Rules of Procedure requires that a copy be provided to each party and the presiding officer whose mailing address is P.O. Box 83720, Boise, Idaho 83720-0098.

The hearing will be held in accordance with provisions 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 conference, please contact Deborah Gibson at (208) 287-4803, no later than five (5) days prior to the hearing.

During the course of the hearing, all parties appearing in this matter will have the opportunity to present information, examine witnesses, and provide argument on issues.

#### DISCOVERY

IT IS HEREBY ORDERED that the parties are authorized to conduct and engage in discovery. The Director has requested a staff memorandum to explain (1) how and why water is counted or credited to the water rights for reservoirs in Basin 01 pursuant to the existing accounting methods and procedures; and (2) the original, adoption, and development of existing accounting methods and procedures in Water District 01. The memorandum will provide an overview of the documents the Department believes are relevant to this proceeding and will explain how the documents may be reviewed. If parties wish to serve additional document requests upon the Department, they may submit requests to Deborah Gibson by electronic mail at <a href="mailto:deborah.gibson@idwr.idaho.gov">deborah.gibson@idwr.idaho.gov</a> or by U.S. Mail at PO Box 83720 Boise, Idaho 83720-0098.

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Dated this  $\frac{1544}{2}$  day of October 2014.

SCHEDULING ORDER; NOTICE OF HEARING; ORDER AUTHORIZING DISCOVERY – Page 3

# CERTIFICATE OF SERVICE

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CONSOLIDATED FARMERS CANAL 3215 N 2000 W REXBURG ID 83440	<ul> <li>☑ U.S. Mail, postage prepaid</li> <li>☐ Hand Delivery</li> <li>☐ Overnight Mail</li> <li>☐ Facsimile</li> <li>☐ Email</li> </ul>
SOUTHEAST IDAHO CANAL CO PO BOX 15 ST ANTHONY ID 83445	<ul> <li>☑ U.S. Mail, postage prepaid</li> <li>☐ Hand Delivery</li> <li>☐ Overnight Mail</li> <li>☐ Facsimile</li> <li>☐ Email</li> </ul>
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RANDY BINGHAM  U.S. Mail, postage prepaid		
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BURLEY ID 83316	BURLEY ID 83316	l <del></del> ~
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DAN DARRINGTON U.S. Mail, postage prepaid	DAN DARRINGTON	
705 E 300 S Hand Delivery	705 E 300 S	Hand Delivery
BURLEY ID 83316	BURLEY ID 83316	Overnight Mail
☐ Facsimile		
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LEONARD BECK	☑ U.S. Mail, postage prepaid
272 W 200 S	Hand Delivery
BURLEY ID 83316	Overnight Mail
201021 20 00010	Facsimile
	Email
CLIFFORD SEARLE	U.S. Mail, postage prepaid
500 E 500 S	Hand Delivery
BURLEY ID 83316	Overnight Mail
DOMBLI ID 00010	Facsimile
	Email
DEAN EDGAR	U.S. Mail, postage prepaid
480 E 400 S	Hand Delivery
BURLEY ID 83316	Overnight Mail
	Facsimile
	Email
GARY BLANCHARD	☑ U.S. Mail, postage prepaid
355 SKYLANE	Hand Delivery
POCATELLO ID 83204	Overnight Mail
	Facsimile
	☐ Email
NEIL MORGAN	U.S. Mail, postage prepaid
762 W HWY 39	☐ Hand Delivery
BLACKFOOT ID 83221	Overnight Mail
	☐ Facsimile
	☐ Email
STEVEN MURDOCK	☑ U.S. Mail, postage prepaid
PEOPLES CANAL & IRRIGATION CO.	Hand Delivery
1050 W HWY 39	Overnight Mail
BLACKFOOT ID 83221	☐ Facsimile
	☐ Email
RON HANSEN	☑ U.S. Mail, postage prepaid
6935 N 500 W	Hand Delivery
TETONIA ID 83452	Overnight Mail
	Facsimile
· ·	Email
MIKE LEGGE	U.S. Mail, postage prepaid
PO BOX 795	Hand Delivery
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