

**BEFORE THE DEPARTMENT OF WATER RESOURCES**

**FOR THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION )  
FOR TRANSFER NO. 73811 (SHEKINAH )  
INDUSTRIES); APPLICATION FOR )  
TRANSFER NO. 73834 (ORCHARD )  
RANCH); APPLICATION FOR PERMIT )  
NO. 63-32499 (MAYFIELD TOWNSITE); )  
APPLICATION FOR PERMIT NO. )  
61-12095 (NEVID-CORDER); )  
APPLICATION FOR PERMIT NO. )  
61-12096 (NEVID); APPLICATION FOR )  
PERMIT NO. 63-32703 (ORCHARD )  
RANCH); APPLICATION FOR PERMIT )  
NO. 61-12256 (INTERMOUNTAIN )  
SEWER AND WATER); APPLICATION )  
FOR PERMIT NO. 63-33344 (ARK )  
PROPERTIES-MAYFIELD TOWNSITE) )  
\_\_\_\_\_ )

**PREHEARING SCHEDULING ORDER**

On January 24, 2012, the Director issued an Order Creating Contested Case and Consolidating Protested and Unprotested Applications.

On February 15, 2012, the Director conducted a scheduling conference with the parties to the contested case. Based on discussions at the scheduling conference, the following is an order governing the schedule for hearing preparation and the hearing.

**ORDER**

IT IS HEREBY ORDERED that the parties may immediately commence discovery as authorized in the Idaho Rules of Civil Procedure.

IT IS FURTHER ORDERED that the parties to the above matter shall provide all ground water and surface water data in their possession to the Idaho Department of Water Resources on or before May 1, 2012. Upon submittal of the information, the Department will place the information on its website at the following webpage:  
[www.idwr.idaho.gov/news/Issues/EADA\\_2012/Default.htm](http://www.idwr.idaho.gov/news/Issues/EADA_2012/Default.htm).

**IT IS FURTHER ORDERED that the parties and the Department shall complete the following components of hearing preparation by the stated deadlines:**

- May 31, 2012 – Submittal of staff memorandum to Director by Department staff regarding the sufficiency of water supply
- August 15, 2012 – Review by the parties of the Department’s files and documents, including staff memorandum, and deposition of Department employees
- November 15, 2012 – File expert technical reports and disclose expert witnesses
- January 31, 2013 – Respond to and rebut expert technical reports
- February 28, 2013 – Depose experts and lay witnesses and complete all remaining discovery
- March 31, 2013 – Exchange exhibits and file any dispositive motions
- April 15-30, 2013 – Conduct contested case hearing

DATED this 13<sup>th</sup> day of April, 2012.

  
\_\_\_\_\_  
GARY SPACKMAN  
Interim Director

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13<sup>th</sup> day of April, 2012, a true and correct copy of the document(s) described below were served by placing the same in the United States mail, postage prepaid and properly addressed to the following:

Document Served: **Prehearing Scheduling Order**

MICHAEL PRESTON  
SHEKINAH INDUSTRIES INC  
420 BITTERROOT DR  
BOISE ID 83709

MICHAEL CREAMER  
GIVENS PURSLEY LLP  
PO BOX 2720  
BOISE ID 83701-2720

CRAIG HAYNES  
G 3 LLC  
2136 E LEWANDOWSKI LN  
BOISE ID 83716

ERICK POWELL  
BROCKWAY ENGINEERING  
2016 N WASHINGTON ST STE 4  
TWIN FALLS ID 83301

JOHN K SIMPSON  
BARKER ROSHOLT & SIMPSON LLP  
PO BOX 2139  
BOISE ID 83701-2139

BRUCE SMITH  
MOORE SMITH BUXTON & TURCKE  
950 W BANNOCK STE 520  
BOISE ID 83702

CLEVELAND CORDER LLC  
622 20E LN  
GARDEN CITY ID 83714

MAYFIELD TOWNSITE LLC  
PO BOX 1359  
CALDWELL ID 83606

SPF WATER ENGINEERING  
300 E MALLARD DR STE 350  
BOISE ID 83706

ORCHARD RANCH LLC  
PO BOX 1260  
MARICOPA AZ 85139

TONYA D BOLSHAW  
PO BOX 16022  
BOISE ID 83715

SPENCER HAFEN  
886 W BARRYMORE DR  
MERIDIAN ID 83642

DANA QUINNEY  
SCOTT QUINNEY  
160 S PRONGHORN  
BOISE ID 83716

JOHN WESTA  
IDWR WESTERN REGION  
2735 AIRPORT WAY  
BOISE ID 83705-5082

RACINE OLSON NYE BUDGE  
CANDICE M MC HUGH  
101 S CAPITOL BLVD STE 300  
BOISE ID 83702

DANIEL S VAN GROUW  
5655 S BLACKCAT RD  
MERIDIAN ID 83642

NEVID LLC  
1349 GALLERIA DR STE 200  
HENDERSON NV 89014

TIM CONRADS  
75 S PRONGHORN RD  
BOISE ID 83716

DEL KOHTZ  
IDAHO WATER COMPANY  
1135 VALLEY RD S  
EDEN ID 83325

INTERMOUNTAIN SEWER & WATER  
CORP.  
PO BOX 344  
MERIDIAN ID 83680

JOHN MC CALLUM  
ARK PROPERTIES LLC  
11204 N BAR 21 DR  
GLENN'S FERRY ID 83623-5033

WENDY TIPPETTS  
999 N SLATER CREEK  
MAYFIELD, ID 83716

GRIFFIN HERREN  
719 DESERT WIND RD  
BOISE ID 83716

DARLA BATEMAN  
404 E INDIAN CREEK RD  
BOISE ID 83716

MARY FRISCH  
155 S PRONGHORN DR  
BOISE ID 83716

LORI ATKINS  
602 E MIKE'S PL  
BOISE ID 83716

ED VAN GROUW  
5089 S DEBONAIR LN  
MERIDIAN ID 83642

WAYNE SHEPHERD  
DIRECTOR OF PUBLIC WORKS  
CITY OF MOUNTAIN HOME  
PO BOX 10  
MOUNTAIN HOME ID 83647

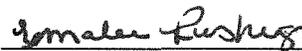
NEVID LLC AND  
ELK CREEK RANCH LLC  
NORMAN M SEMANKO  
ATTORNEY AT LAW  
PO BOX 538  
EAGLE ID 83616

ROBERT MAYNARD OR  
ERIKA MALMAN  
PERKINS COIE LLP  
PO BOX 737  
BOISE ID 83701-0737

BROWN FARMS LLC  
CLIFFORD BROWN ESQ  
HOLZER EDWARDS & HARRISON  
1516 W HAYS ST  
BOISE ID 83702

JAMES C TUCKER OR  
NATHAN F GARDINER  
IDAHO POWER COMPANY  
1221 W IDAHO ST  
BOISE ID 83702-5627

CITY OF POCATELLO  
C/O JOSEPHINE BEEMAN  
BEEMAN & ASSOCIATES  
409 W JEFFERSON ST  
BOISE ID 83702



---

Emalee Rushing  
Administrative Assistant