

BEFORE THE DEPARTMENT OF WATER RESOURCES
FOR THE STATE OF IDAHO

IN THE MATTER OF APPLICATION)	ORDER MODIFYING THE
FOR TRANSFER NO. 78356 (SHEKINAH)	APRIL 13, 2012 PREHEARING
INDUSTRIES); APPLICATION FOR)	SCHEDULING ORDER AND
TRANSFER NO. 78355 (ORCHARD)	NOTICE OF HEARING
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))	
_____)	

On April 13, 2012 the Director (“Director”) of the Idaho Department of Water Resources (“Department”) issued a Prehearing Scheduling Order setting a schedule for hearing in this matter.

On March 29, 2013, Nevid, LLC and Orchard Ranch, LLC (“Nevid and Orchard Ranches”) filed a Motion to Amend Prehearing Scheduling Order. The motion asks the hearing officer to set a deadline for the parties to exchange witness lists, move the start date of the hearing from April 15 to April 17, and set a location and a start time for the hearing.

On the same day, the Director issued an Order Shortening Time to File an Answer to Motion to Amend Prehearing Scheduling Order. The order shortened the time for parties to respond to Nevid and Orchard Ranches’ motion to seven (7) days from the date of the order.

Also on March 29, 2013, Idaho Power Company (“Idaho Power”) filed its Response to Motion to Amend Prehearing Scheduling Order. Idaho Power supports the request to set a deadline to exchange witness lists and to set a location for the hearing, but requested that if the hearing start date is moved to April 17, that the hearing recess on April 18, 2013 at 5:00 pm and reconvene on Monday, April 22, 2013.

No other responses to Nevid and Orchard Ranches' motion were received.

Based on the information provided in the Nevid and Orchard Ranches' motion, the Department should issue an amended prehearing scheduling order and hearing notice.

ORDER

IT IS HEREBY ORDERED that the prehearing schedule is modified to add an April 10, 2013, deadline for the parties to exchange witness lists.

IT IS FURTHER ORDERED that the hearing will begin at 9:00 a.m. on April 17, 2013, recess at the end of the day on April 18, 2013 and begin again on April 22, 2013 at 9:00 a.m. and conclude on or before April 30, 2013.

NOTICE OF HEARING

PLEASE TAKE NOTICE that a formal hearing will begin on **April 17, 2013, beginning at 9:00 a.m., will recess at the end of the day on April 18, 2013 and will reconvene on April 22, 2013 at 9:00 am and will continue until concluded.** The hearing will take place at the offices of the Idaho Department of Water Resources, 322 E. Front St., 6th Floor Conference Rooms B, C, & D, Boise, Idaho. The presiding officer at the hearing will be 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 to the presiding officer.

The hearing will be held in accordance with the 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 may be obtained from the department upon request.

The hearing 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 hearing, please notify the department no later than ten (10) days before the first day of the hearing. Inquires about scheduling, hearing facilities, etc., should be directed to Deborah Gibson, 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.

All parties appearing in this matter will have the opportunity to present information, examine witnesses, and provide argument on issues related to the appropriation of water these applications have bearing on, during the course of this hearing.

DATED this 8th day of April, 2013.


GARY SPACKMAN
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of April, 2013, a true and correct copy of the document described below was served by placing the same in the United States mail, certified with return receipt, postage prepaid and properly addressed to the following:

Document(s) Served: ORDER MODIFYING THE APRIL 13, 2012 PREHEARING SCHEDULING ORDER AND NOTICE OF HEARING

MICHAEL PRESTON
SHEKINAH INDUSTRIES INC
420 BITTERROOT DR
BOISE ID 83709

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

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

TONYA D BOLSHAW
PO BOX 16022
BOISE ID 83715

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

DANA QUINNEY
SCOTT QUINNEY
160 S PRONGHORN
BOISE ID 83716

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

NORMAN M SEMANKO
ATTORNEY AT LAW
PO BOX 1256
BOISE ID 83701-1256

BRUCE SMITH
MOORE SMITH
950 W BANNOCK STE 520
BOISE ID 83702

TIM CONRADS
75 S PRONGHORN RD
BOISE ID 83716

CLEVELAND CORDER LLC
622 20 E LN
GARDEN CITY ID 83714

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

INTERMOUNTAIN SEWER AND
WATER CORP
C/O GREG JOHNSON
1710 S WELLS AVE STE 110
MERIDIAN ID 83680

MARY FRISCH
155 S PRONGHORN DR
BOISE ID 83716

GRIFFIN HERREN
719 DESERT WIND RD
BOISE ID 83716

DARLA BATEMAN
404 E INDIAN CREEK RD
BOISE ID 83716

WENDY TIPPETTS
999 N SLATER CREEK
MAYFIELD 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

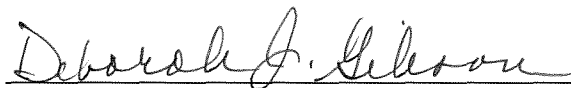
BROWN FARMS LLC
ATTN CLIFFORD BROWN ESQ
HOLZER EDWARDS & HARRISON
1516 W HAYS ST
BOISE ID 83702

JAMES C TUCKER
IDAHO POWER COMPANY
PO BOX 70
BOISE ID 83707

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

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

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



Deborah J. Gibson
Assistant to the Director