

**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
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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.¹

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

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|-------------------------|---|
| 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 |

¹ 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 6th 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 deborah.gibson@idwr.idaho.gov or by U.S. Mail at PO Box 83720 Boise, Idaho 83720-0098.

Dated this 15th day of October 2014.


GARY SPACKMAN
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of October 2014, I served the foregoing *SCHEDULING ORDER; NOTICE OF HEARING; ORDER AUTHORIZING DISCOVERY* to the following and by the method indicated below:

RANDALL C BUDGE THOMAS J BUDGE RACINE OLSON PO BOX 1391 POCATELLO ID 83204-1391 rcb@racinelaw.net tjb@racinelaw.net	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email
DEAN TRANMER CITY OF POCATELLO PO BOX 4169 POCATELLO ID 83201 dtranmer@pocatello.us	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email
SARAH A KLAHN WHITE & JANKOWSKI 511 SIXTEENTH ST STE 500 DENVER CO 80202 sarahk@white-jankowski.com	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email
JERRY R RIGBY RIGBY ANDRUS 25 NORTH SECOND EAST REXBURG ID 83440 jrigby@rex-law.com	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email
ROBERT L HARRIS HOLDEN KIDWELL PO BOX 50130 IDAHO FALLS ID 83405 rharris@holdenlegal.com	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email
PETER R ANDERSON TROUT UNLIMITED 910 W MAIN ST STE 342 BOISE ID 83702 panderson@tu.org	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email

<p>JAMES C TUCKER IDAHO POWER COMPANY PO BOX 70 BOISE ID 83702 jamestucker@idahopower.com</p>	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email
<p>DAVID GEHLERT US DEPT OF JUSTICE 999 18TH ST SOUTH TERRACE STE 370 DENVER CO 80202 david.gehlert@usdoj.gov</p>	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email
<p>JOHN K SIMPSON TRAVIS L THOMPSON PAUL L ARRINGTON BARKER ROSHOLT & SIMPSON 195 RIVER VISTA PLACE STE 204 TWIN FALLS ID 83301-3029 jks@idahowaters.com tlt@idahowaters.com pla@idahowaters.com</p>	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email
<p>W KENT FLETCHER FLETCHER LAW OFFICE PO BOX 248 BURLEY ID 83318 wkf@pmt.org</p>	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email
<p>CONSOLIDATED FARMERS CANAL 3215 N 2000 W REXBURG ID 83440</p>	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
<p>SOUTHEAST IDAHO CANAL CO PO BOX 15 ST ANTHONY ID 83445</p>	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
<p>THE NEW LAVASIDE DITCH CO LTD ATTN VON CORNELISON 66 E RIVER RD BLACKFOOT ID 83221</p>	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email

SOUTH FORK OF THE SNAKE RIVER WATER USERS ATTN DARRELL KER 4861 N 44TH E IDAHO FALLS ID 83401	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
SOUTH FORK OF THE SNAKE RIVER WATER USERS ATTN STAN HAWKINS BOX 367 UCON ID 83454	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
DE LLOYD JACOBSON PO BOX 68 SWAN VALLEY ID 83449	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
TED MICKELSEN 2255 N 4000 W TETONIA ID 83452	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
ROGER LING PO BOX 623 RUPERT ID 83350	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
GARY DIAL 1448 N 800 E SHELLEY ID 83274	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
STAN NIELSON 1234 E 1000 N SHELLEY ID 83274	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
GREG BURNS 655 12 TH AVE SLC UT 84103	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
RANDY BINGHAM 20 E 220 S BURLEY ID 83316	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
DAN DARRINGTON 705 E 300 S BURLEY ID 83316	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email

LEONARD BECK 272 W 200 S BURLEY ID 83316	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
CLIFFORD SEARLE 500 E 500 S BURLEY ID 83316	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
DEAN EDGAR 480 E 400 S BURLEY ID 83316	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
GARY BLANCHARD 355 SKYLANE POCATELLO ID 83204	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
NEIL MORGAN 762 W HWY 39 BLACKFOOT ID 83221	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
STEVEN MURDOCK PEOPLES CANAL & IRRIGATION CO. 1050 W HWY 39 BLACKFOOT ID 83221	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
RON HANSEN 6935 N 500 W TETONIA ID 83452	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
MIKE LEGGE PO BOX 795 COALVILLE UT 84017 mlegge@usmagnesium.com	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email



Deborah J. Gibson
Administrative Assistant for the Director
Idaho Department of Water Resources