BEFORE THE DEPARTMENT OF WATER RESOURCES

FOR THE STATE OF IDAHO

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

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

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