

**BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE STATE OF IDAHO**

IN THE MATTER OF DISTRIBUTION OF WATER ) **CM-DC-2011-002**  
TO WATER RIGHT NO. 36-07071 )  
) **SCHEDULING ORDER**  
(JOHN W. JONES, JR., and DELORIS D. JONES) )  
\_\_\_\_\_ )

A prehearing conference was held on August 8, 2011, concerning the delivery call made by John W. Jones, Jr., and Deloris D. Jones (“Jones”). Participants included: Geoff Wardle and Jake McGrady, attorneys for SeaPac and Jones; Randy Budge and Candice McHugh, attorneys for Idaho Ground Water Appropriators Inc. (“IGWA”); David Shaw, consultant with ERO Resources; Phil and Nancy Gossi, representatives for Jones; Ken Ashley and Wendell Starke, representatives for SeaPac; Garrick Baxter, attorney for IDWR; and appearing telephonically were Justin May, attorney for Rangen, Inc. and Bill Parsons, attorney for Southwest Irrigation District.

Jones asked that the schedule proposed in the Department’s *Notice of Prehearing Conference and Proposed Scheduling Order* be extended by one month to due to conflicts. No object was raised by IGWA. The parties agreed on additional changes to the proposed schedule.

**ORDER**

Based on the foregoing, IT IS HEREBY ORDERED that this matter will proceed as follows:

August 9, 2011	Discovery opens;
August 23, 2011	Deadline to identify expert witnesses to testify at hearing;
December 15, 2011	Deadline for submitting expert reports;
January 20, 2012	Deadline for rebuttal expert reports;
February 21, 2012	Deadline for IDWR staff memorandum regarding expert reports;
March 1, 2012	Deadline for filing dispositive motions. This is a deadline and does not preclude an earlier filing;

March 16, 2012      Deadline for filing response to dispositive motions. No reply briefs will be allowed;

March 20, 2012      Deadline for response to IDWR's staff memorandum;

March 21, 2012      Hearing on dispositive motions at 2:00 p.m. at IDWR (if necessary);

April 2, 2012      Deadline to complete discovery; deadline to submit witness list (non-expert) and exhibit list to IDWR and parties; deadline to provide copies of exhibits to IDWR and parties;

April 9, 2012      Prehearing conference at 2:00 p.m. at IDWR; deadline to submit opening brief / trial brief (if desired); and

April 16 through  
April 27, 2012      Hearing begins. Interim Director Gary Spackman will be the presiding officer.

Dated this 10 day of August, 2011.

  
\_\_\_\_\_  
Gary Spackman  
Interim Director

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10<sup>th</sup> day of August 2011, the above and foregoing, was served by the method indicated below, and addressed to the following:

RANDY BUDGE  
CANDICE MCHUGH  
RACINE OLSON  
PO BOX 1391  
POCATELLO ID 83204-1391  
[rcb@racinelaw.net](mailto:rcb@racinelaw.net)  
[cmm@racinelaw.net](mailto:cmm@racinelaw.net)

U.S. Mail, Postage Prepaid  
 Facsimile  
 E-mail

MIKE CREAMER  
JEFF FEREDAY  
GIVENS PURSLEY  
PO BOX 2720  
BOISE ID 83701-2720  
[mcc@givenspursley.com](mailto:mcc@givenspursley.com)  
[jefffereday@givenspursley.com](mailto:jefffereday@givenspursley.com)

U.S. Mail, Postage Prepaid  
 Facsimile  
 E-mail

GEOFFREY WARDLE  
MERLYN CLARK  
JAKE MCGRADY  
HAWLEY TROXELL  
PO BOX 1617  
BOISE ID 83701-1617  
[gwardle@hawleytroxell.com](mailto:gwardle@hawleytroxell.com)  
[mclark@hawleytroxell.com](mailto:mclark@hawleytroxell.com)  
[jmcgrady@hawleytroxell.com](mailto:jmcgrady@hawleytroxell.com)

U.S. Mail, Postage Prepaid  
 Facsimile  
 E-mail

  
Victoria Wigle  
Administrative Assistant to the Director  
Idaho Department of Water Resources