

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

IN THE MATTER OF DISTRIBUTION OF WATER) **CM-DC-2011-003**
TO WATER RIGHTS NOS. 36-07072 AND)
36-08356) **SCHEDULING ORDER**
)
(SEAPAC OF IDAHO))
_____)

A prehearing conference was held on August 8, 2011, concerning the delivery call made by SeaPac of Idaho, Inc. (“SeaPac”). Participants included: Geoff Wardle and Jake McGrady, attorneys for SeaPac and John and Deloris Jones (“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.

SeaPac 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:

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|-------------------|--|
| 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 will commence immediately upon conclusion of the hearing in CM DC 2011-02 (John Jones). If CM DC 2011-02 (John Jones) does not go to hearing, this hearing will commence at 9:00 a.m. on April 16, 2012. 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 10th day of August 2011, the above and foregoing, was served by the method indicated below, and addressed to the following:

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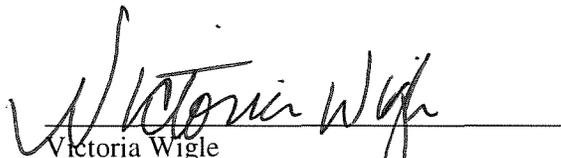
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