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AUG 27 2009

DEPARTMENT OF WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GOODING

A&B IRRIGATION DISTRICT, AMERICAN FALLS RESERVOIR DISTRICT #2, BURLEY IRRIGATION DISTRICT, MILNER IRRIGATION DISTRICT, MINIDOKA IRRIGATION DISTRICT, NORTH SIDE CANAL COMPANY and TWIN FALLS CANAL COMPANY,

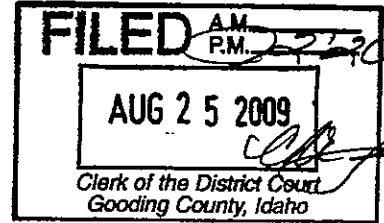
Petitioners,

vs.

GARY SPACKMAN, in his capacity as Interim Director of the Idaho Department of Water Resources, and THE DEPARTMENT OF WATER RESOURCES,

Respondents.

IN THE MATTER OF DISTRIBUTION OF WATER TO VARIOUS WATER RIGHTS HELD BY OR FOR THE BENEFIT OF A&B IRRIGATION DISTRICT, AMERICAN FALLS RESERVOIR DISTRICT #2, BURLEY IRRIGATION DISTRICT, MILNER IRRIGATION DISTRICT, MINIDOKA IRRIGATION DISTRICT, NORTH SIDE CANAL COMPANY, AND TWIN FALLS CANAL COMPANY



Case No. 2008-0000551

SCHEDULING ORDER ON PETITIONS FOR REHEARING

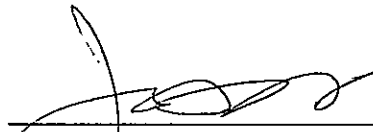
This Court issued its *Order on Petition for Judicial Review* in this matter on July 24, 2009. On, August 14, 2009, the City of Pocatello filed a *Petition for Rehearing*. Also on August 14, 2009, the Ground Water Users also filed a *Petition for Rehearing*. Pursuant to Idaho Code § 67-5273, Idaho Rule of Civil Procedure 84(r) and Idaho Appellate Rule 34(c), IT IS HEREBY ORDERED that the following briefing schedule applies:

1. **September 4, 2009:** Deadline for cross-petitions.
2. **October 9, 2009:** Deadline for filing Petitioners' opening briefs.
3. **November 6, 2009:** Deadline for filing Respondent's brief.
4. **November 30, 2009:** Deadline for filing Petitioners' reply briefs.

The Court will set the date for **Oral Argument** after briefing has been filed.

IT IS SO ORDERED.

Dated Aug. 25, 2009



JOHN M. MELANSON
District Judge

NOTICE OF ORDERS
I.R.C.P. 77(d)

I, Cynthia R. Eagle-Ervin, Deputy Clerk of Gooding County do hereby certify that on the 24 of July, 2009, pursuant to Rule 5(e)(1) the District Court filed in chambers the foregoing instrument and further pursuant to Rule 77(d) I.R.C.P., I have this day caused to be delivered a true and correct copy of the within and foregoing instrument: Scheduling Order on Petition for Rehearing to the parties listed below via the U.S. Postal Service, postage prepaid:

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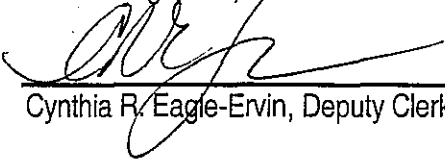
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Dated: August 25, 2009


Cynthia R. Eagle-Ervin, Deputy Clerk

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IRCP 77(d)