

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

IN THE MATTER OF THE PETITION) FOR DELIVERY CALL OF A & B) IRRIGATION DISTRICT FOR THE) DELIVERY OF GROUND WATER AND) FOR THE CREATION OF A GROUND) WATER MANAGEMENT AREA) <hr style="width: 100%;"/>	DOCKET NO. 37-03-11-1 STIPULATION AND JOINT MOTION TO SET PRE-HEARING SCHEDULE
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COMES NOW, A&B IRRIGATION DISTRICT, the IDAHO GROUND WATER APPROPRIATORS, INC., and the CITY OF POCA TELLO, by and through their undersigned counsel of record, and hereby stipulate to the following and jointly move the Hearing Officer to enter an Order approving the same without further notice of hearing, to-wit:

1. That the following schedule be adopted:

Deadline Description	A&B Hearing
Deadline for A&B to file Motion on Legal Issue Identified in A&B's February 13, 2008 <i>Petition</i> at 2 (applicability of Idaho's Ground Water Act).	3/21/08
Response Deadline to A&B's Motion	4/11/08
A&B Reply Deadline	4/25/08
Hearing on A&B Motion	5/02/08
Deadline for filing expert reports; deadline for pre-filed direct testimony (required for retained consultants / optional for others), and all exhibits to be used at hearing with experts	7/16/08
Deadline for expert rebuttal reports, pre-filed rebuttal testimony and all exhibits to be used in rebuttal	8/27/08

Deadline to disclose all lay witnesses and summary of all lay witness testimony / identify all exhibits to be used at hearing with lay witnesses (as well as any pre-filed direct testimony for lay witnesses, if desired)	8/29/08
Dispositive Motion Deadline	9/12/08
Deposition deadline / discovery completed deadline	10/17/08
Written opening brief / trial brief (if desired)	11/07/08
Pre-hearing conference and hearing on pre-hearing motions	11/14/08
Hearing	12/3/08 - 12/17/08

DATED this 20th day of March 2008.

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RACINE OLSON

By: _____
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STIPULATION AND JOINT MOTION TO
SET PRE-HEARING SCHEDULE - 2

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DATED this _____ day of _____, 2008.

BARKER ROSHOLT & SIMPSON LLP

By: _____
Travis L. Thompson

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By: 
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Attorneys for City of Pocatello

ORDER

Upon duly-filed Stipulation and Joint Motion to Set Pre-Hearing Hearing and good cause appearing therefore,

IT IS HEREBY ORDERED that the foregoing Stipulation, pre-hearing schedule and pre-hearing requirements be and are hereby approved; and

IT IS SO ORDERED.

DATED this 25 day of March, 2008.


Gerald K. Schroeder
Hearing Officer

CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy of the following described document on the persons listed below by mailing in the United States mail, first class, with the correct postage affixed thereto on the 26 day of March, 2008.

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