

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

IN THE MATTER OF DISTRIBUTION OF WATER)
TO WATER RIGHTS NOS. 36-04013A, 36-04013B,)
AND 36-07148) **SCHEDULING ORDER**
(SNAKE RIVER FARM))
_____)

IN THE MATTER OF THE THIRD MITIGATION)
PLAN (OVER-THE-RIM) OF THE NORTH SNAKE)
AND MAGIC VALLEY GROUND WATER)
DISTRICTS TO PROVIDE REPLACEMENT)
WATER FOR CLEAR SPRINGS SNAKE RIVER)
FARM)
(WATER DISTRICT NOS. 130 AND 140))
_____)

A Status Conference was held August 26, 2009, concerning the Ground Water Districts proposed mitigation plan for delivery of water over the rim to the Clear Springs Snake River Farm which has objected to the plan on various grounds. Interested parties appeared through counsel. The following matters were determined:

1. Hearing on the mitigation plan and the objections will be staged, determining first whether the proposal for over the rim delivery is an acceptable method to mitigate the obligations of the junior ground water users. The remaining issues raised by the objections shall be addressed as and if they become relevant to a final determination. Hearing on the proposal for over the rim delivery shall be held from December 7, 2009, through December 11, 2009, commencing at 8:00 a.m. and proceeding at such hours as necessary to complete the presentation of evidence on this phase of the case within the time allocated.

2. Expert testimony on behalf the Ground Water Districts shall be pre-filed by September 11, 2009. Any pre-filed lay testimony on behalf of the Ground Water Districts shall be filed by October 2, 2009.

3. Clear Springs Snake River Farm shall pre-file expert and lay testimony by October 30, 2009.

4. All reply testimony shall be filed by November 25, 2009.

5. Discovery may proceed as to Idaho Department of Water Resources employees on remaining issues beyond those to be addressed at the hearing commencing December 7, 2009.

Dated this 28 day of August, 2009.



GERALD F. SCHROEDER
Hearing Officer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of August, 2009, the above and foregoing, was served by the method indicated below, and addressed to the following:

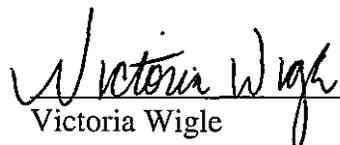
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