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*Attorneys for Thousand Springs Water Users
Association, Inc. & Robert & Susan Gisler*

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

IN THE MATTER OF THE AMENDED
THIRD MITIGATION PLAN FILED BY THE
IDAHO GROUND WATER
APPROPRIATORS FOR THE
DISTRIBUTION OF WATER TO WATER
RIGHT NOS. 36-02551 AND 36-07694 IN
THE NAME OF RANGEN, INC.

Docket No. CM-MP-2014-05

**REPLY IN SUPPORT OF JOINT MOTION
TO AMEND AND CONTINUE HEARING
SCHEDULE**

COME NOW, Thousand Springs Water Users Association, Inc. and Robert & Susan Gisler (“Protestants”) and hereby file this *Reply* in support of their motion to move the hearing schedule in this matter. The Protestants request the Director to move the hearing currently scheduled for September 8 – 10, 2014 to either September 11-12, 2014 or another acceptable date in September for the reasons set forth below.

REPLY

No other party except IGWA opposes the motion to move the hearing to September 11-12, 2014. Counsel for the Protestants have identified several unavoidable conflicts for September 8 – 10, requiring a slight change to the hearing schedule. IGWA opposes a change on its belief that the hearing will take more than two days. Certainly IDWR and the parties can complete the hearing in two days, particularly if the hearing days are extended (example, begin 8 a.m., finish 5:30 or 6

p.m.). Next, IGWA opposes the change on the claim that it will conflict with other hearings and their preparation time. These claims do not justify denial of the motion. First, IGWA's counsel does not claim that they cannot prepare for the applications for permit cases, just that their time will be more limited. The hearing in that matter does not begin until September 16, four days after the close of September 12. With the additional time opened up on Sept. 8 – 10, certainly IGWA's multiple counsel will have time to prepare for both proceedings. Second, the hearing regarding the Southwest Irrigation District mitigation matter (Step 9/10 Orders) set for Sep. 22-24 will likely be moved. Counsel for the Surface Water Coalition has already suggested this and it will be addressed at a conference call this Friday. Accordingly, that reason does not justify denial of the present motion.

In close, counsel for the Protestants have always worked to accommodate schedules where conflicts arise. There is no justifiable reason not to move the present hearing. All parties, except IGWA, do not oppose the change. IGWA has no justifiable excuse, indeed they can present no reason why they could not participate on Sept. 11-12. Due the nature of the Protestants' counsel's conflicts, including a personal family conflict, and the fact the Protestants are entitled to be represented in this proceeding, they respectfully request the Director to grant their motion.

DATED this 26th day of August, 2014.

BARKER ROSS HOLT & SIMPSON LLP



Travis L. Thompson
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*Attorneys for Thousand Springs Water Users'
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CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of August, 2014, I served a copy of the foregoing **REPLY IN SUPPORT OF JOINT MOTION TO AMEND AND CONTINUE HEARING SCHEDULE**, to be served upon the following by the indicated method:

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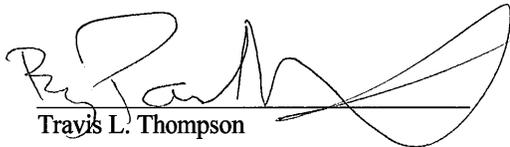
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