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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,

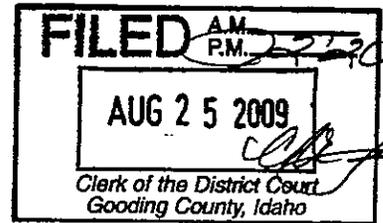
Petitioners,

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:

John Simpson
P.O. Box 2139
Boise, ID 83701-2139

Dean Tranmer
CITY OF POCATELLO
P.O. Box 4169
Pocatello, ID 83204-1391

John Rosholt
Travis Thompson
BARKER ROSHOLT & SIMPSON
P.O. Box 485
Twin Falls, ID 83303-0485

Sarah Klahn
White & Jankowski
511 16th Street, Ste 500
Denver, Co 80202

C. Tom Arkoosh
CAPITOL LAW GROUP
P.O. Box 32
Gooding, ID 83330

Michael Creamer
GIVENS PURSLEY
P.O. Box 2720
Boise, ID 83701-2720

Kent Fletcher
FLETCHER LAW
P.O. BOX 248
Burley, ID 83318

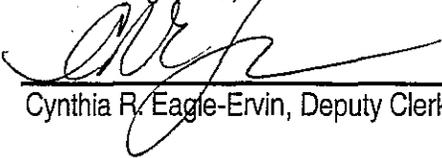
Randy Budge
Candace McHugh
RACINE OLSON
P.O. Box 1391
Pocatello, ID 83204-1391

Roger Ling
P.O. Box 396
Rupert, ID 83350-0396

David Gehlert
U.S. Dept. of Natural Resources
1961 South Street, 8th Floor
Denver, CO 80294

✓ Philip Rassier
Chris Bromley
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Dated: August 25, 2009


Cynthia R. Eagle-Ervin, Deputy Clerk

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IRCP 77(d)