

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

IN THE MATTER OF DISTRIBUTION	)	
OF WATER TO VARIOUS WATER RIGHTS	)	
HELD BY OR FOR THE BENEFIT OF A&B	)	
IRRIGATION DISTRICT, AMERICAN FALLS	)	<b>ORDER REGARDING</b>
RESERVOIR DISTRICT #2, BURLEY	)	<b>STATUS AND SCHEDULING</b>
IRRIGATION DISTRICT, MILNER	)	<b>CONFERENCE OF</b>
IRRIGATION DISTRICT, MINIDOKA	)	<b>JUNE 15, 2005</b>
IRRIGATION DISTRICT, NORTH SIDE	)	
CANAL COMPANY, AND TWIN FALLS	)	
CANAL COMPANY	)	
<hr/>		

On June 15, 2005, the Director of the Department of Water Resources (“Director” or “Department”) conducted a status and scheduling conference to address issues related to the Amended Order of May 2, 2005, in the above captioned matter.

Among other issues discussed, the Director provided for briefing and associated schedules for the following: (1) the Idaho Power Company’s (“Idaho Power”) status in this matter; (2) disqualification of the Director as the Hearing Officer in this matter; (3) establishment of a prehearing schedule in anticipation of a January 2006 hearing in this matter; and (4) the Idaho Ground Water Appropriators’ (“IGWA”) June 14, 2005, *Motion to Amend Mitigation Plan and Consolidate it with Delivery Call Proceedings* (“IGWA Motion to Consolidate”).

**ORDER**

Based upon and consistent with the foregoing:

IT IS HEREBY ORDERED as follows:

1. Within seven (7) days of the status and scheduling conference, all briefing by recognized parties in regard to Idaho Power’s status in this matter shall be filed with the Department. Idaho Power shall have seven (7) days in which to reply.
2. Within fourteen (14) days of the status and scheduling conference, all briefing in regard to the disqualification of the Director as the Hearing Officer in this matter shall be filed with the Department.
3. Within fourteen (14) days of the status and scheduling conference, all proposals in regard to the establishment of a prehearing schedule shall be filed with the

Department. Shortly thereafter, the Director will issue the prehearing schedule. The proposed prehearing schedules should be consistent with the Director's intention to schedule a hearing in the above captioned matter in January 2006. If the parties wish to engage in discovery, motions must be filed with the Department in accordance with IDAPA 37.01.01.521.

4. Within fourteen (14) days of the status and scheduling conference, all responsive briefing in regard to the IGWA Motion to Consolidate shall be filed with the Department. IGWA shall have seven (7) days in which to reply.

DATED this 16<sup>th</sup> day of June 2005.

  
\_\_\_\_\_  
KARL J. DREHER  
Director

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 16<sup>th</sup> day of June, 2005, the above and foregoing, was served by the method indicated below, and addressed to the following:

TOM C. ARKOOSH  
ARKOOSH LAW OFFICES  
PO BOX 32  
GOODING ID 83330  
(208) 934-8873  
[alo@cableone.net](mailto:alo@cableone.net)

U.S. Mail, Postage Prepaid  
 Facsimile  
 E-mail

W. KENT FLETCHER  
FLETCHER LAW OFFICE  
PO BOX 248  
BURLEY ID 83318-0248  
(208) 878-2548  
[wkf@pmt.org](mailto:wkf@pmt.org)

U.S. Mail, Postage Prepaid  
 Facsimile  
 E-mail

ROGER D. LING  
LING ROBINSON  
PO BOX 396  
RUPERT ID 83350-0396  
(208) 436-6804  
[lnrlaw@pmt.org](mailto:lnrlaw@pmt.org)

U.S. Mail, Postage Prepaid  
 Facsimile  
 E-mail

JOHN A. ROSHOLI  
TRAVIS L. THOMPSON  
BARKER ROSHOLI  
113 MAIN AVENUE WEST, SUITE 303  
TWIN FALLS ID 83301-6167  
(208) 735-2444  
[jat@idahowaters.com](mailto:jat@idahowaters.com)  
[tlt@idahowaters.com](mailto:tlt@idahowaters.com)

U.S. Mail, Postage Prepaid  
 Facsimile  
 E-mail

JOHN K. SIMPSON  
BARKER ROSHOLI  
PO BOX 2139  
BOISE ID 83701-2139  
(208) 344-6034  
[jks@idahowaters.com](mailto:jks@idahowaters.com)

U.S. Mail, Postage Prepaid  
 Facsimile  
 E-mail

JEFFREY C. FEREDAY  
MICHAEL C. CREAMER  
GIVENS PURSLEY  
PO BOX 2720  
BOISE ID 83701-2720  
(208) 388-1200  
[cf@givenspursley.com](mailto:cf@givenspursley.com)  
[mcc@givenspursley.com](mailto:mcc@givenspursley.com)

U.S. Mail, Postage Prepaid  
 Facsimile  
 E-mail

SCOTT L. CAMPBELL  
MOFFATT THOMAS  
PO BOX 829  
BOISE ID 83701  
(208) 385-5384  
[slc@moffatt.com](mailto:slc@moffatt.com)

U.S. Mail, Postage Prepaid  
 Facsimile  
 E-mail

KATHLEEN M. CARR  
OFFICE OF THE FIELD SOLICITOR  
550 WEST FORT STREET MSC 020  
BOISE ID 83724  
(208) 334-1378

U.S. Mail, Postage Prepaid  
 Facsimile  
 E-mail

GAIL MCGARRY PN-3100  
US BUREAU OF RECLAMATION  
1140 NORTH CURTIS ROAD  
BOISE ID 83706-1234  
(208) 378-5066  
[emcgarry@pn.usbr.gov](mailto:emcgarry@pn.usbr.gov)

U.S. Mail, Postage Prepaid  
 Facsimile  
 E-mail

JOSEPHINE P. BEEMAN  
BEEMAN & ASSOCIATES  
409 WEST JEFFERSON STREET  
BOISE ID 83702  
(208) 331-0954  
[jo.beeman@beemanlaw.com](mailto:jo.beeman@beemanlaw.com)

U.S. Mail, Postage Prepaid  
 Facsimile  
 E-mail

SARAH A. KLAHN  
WHITE & JANKOWSKI  
511 16TH STREET, SUITE 500  
DENVER CO 80202  
[sarahk@white-jankowski.com](mailto:sarahk@white-jankowski.com)

U.S. Mail, Postage Prepaid  
 Facsimile  
 E-mail

MICHAEL S. GILMORE  
ATTORNEY GENERAL'S OFFICE  
PO BOX 83720  
BOISE ID 83720-0010  
(208) 334-2830  
[mike.gilmore@ag.idaho.gov](mailto:mike.gilmore@ag.idaho.gov)

U.S. Mail, Postage Prepaid  
 Facsimile  
 E-mail

TERRY T. UHLING  
J.R. SIMPLOT COMPANY  
999 MAIN STREET  
BOISE ID 83702  
(208) 336-2110  
[tuhling@simplot.com](mailto:tuhling@simplot.com)

U.S. Mail, Postage Prepaid  
 Facsimile  
 E-mail

JAMES C. TUCKER  
IDAHO POWER COMPANY  
1221 WEST IDAHO STREET  
BOISE ID 83702  
(208) 388-2112  
[jamestucker@idahopower.com](mailto:jamestucker@idahopower.com)

U.S. Mail, Postage Prepaid  
 Facsimile  
 E-mail

JAMES S. LOCHHEAD  
BROWNSTEIN HYATT & FARBER  
410 17TH STREET, 22ND FLOOR  
DENVER CO 80202  
(303) 223-1100  
[jlochhead@bhf-law.com](mailto:jlochhead@bhf-law.com)

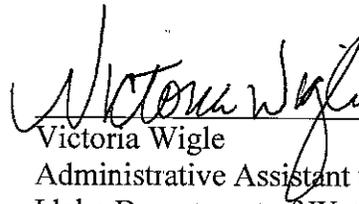
U.S. Mail, Postage Prepaid  
 Facsimile  
 E-mail

RON CARLSON  
LEWIS ROUNDS  
IDWR  
900 NORTH SKYLINE DRIVE  
IDAHO FALLS ID 83402-6105  
(208) 525-7177  
[ron.carlson@idwr.idaho.gov](mailto:ron.carlson@idwr.idaho.gov)  
[lewis.rounds@idwr.idaho.gov](mailto:lewis.rounds@idwr.idaho.gov)

U.S. Mail, Postage Prepaid  
 Facsimile  
 E-mail

ALLEN MERRITT  
CINDY YENTER  
IDWR  
1341 FILLMORE STREET, SUITE 200  
TWIN FALLS ID 83301-3033  
(208) 736-3037  
[allen.merritt@idwr.idaho.gov](mailto:allen.merritt@idwr.idaho.gov)  
[cindy.yenter@idwr.idaho.gov](mailto:cindy.yenter@idwr.idaho.gov)

U.S. Mail, Postage Prepaid  
 Facsimile  
 E-mail



---

Victoria Wigle  
Administrative Assistant to the Director  
Idaho Department of Water Resources