

RECEIVED

JUN 29 2005

DEPARTMENT OF
WATER RESOURCES

Jeffrey C. Fereday (Idaho State Bar # 2719)
Michael C. Creamer (Idaho State Bar # 4030)
GIVENS PURSLEY LLP
601 Bannock Street, Suite 200
P.O. Box 2720
Boise, ID 83701-2720
Telephone: (208) 388-1200
Facsimile: (208) 388-1300

Attorneys for Idaho Ground Water Appropriators, Inc.

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

IN THE MATTER OF THE REQUEST FOR
ADMINISTRATION IN WATER DISTRICT
120 AND THE REQUEST FOR DELIVERY
OF WATER TO SENIOR SURFACE
WATER RIGHTS BY 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

**IDAHO GROUND WATER APPROPRIATORS'
RENEWED MOTION FOR ORDER
AUTHORIZING DISCOVERY**

Idaho Ground Water Appropriators, Inc. ("IGWA"), through its counsel Givens Pursley LLP and on behalf of its ground water district members, Aberdeen-American Falls Ground Water District, Magic Valley Ground Water District, Bingham Ground Water District, North Snake Ground Water District, Bonneville-Jefferson Ground Water District, Southwest Irrigation District, and Madison Ground Water District (the "Ground Water Districts" or "IGWA"), hereby renews its' Motion for Order Authorizing Discovery ("Discovery Motion") filed with the Idaho Department of Water Resources ("Department") on February 18, 2005.

The SWC previously has opposed IGWA's Discovery Motion on the ground that their request for administration did not result in a contested case and therefore discovery was not allowed. The Director, however, in repeated orders issued beginning on February 14, 2005, has deemed this to be a contested case proceeding. Furthermore, the Director's March 9, 2005 Order denying IGWA's Discovery Motion was without prejudice and authorized IGWA to renew the Discovery Motion after the SWC had submitted the information requested by the Department and the Department had considered and responded to that information. Those conditions precedent now have occurred.

IGWA requests that it be authorized to engage in discovery consistent with the Idaho Rules of Civil Procedure, the Department's rules, and any pre-hearing orders that may be issued by the Department governing the timing and/or scope of discovery in this matter.

RESPECTFULLY SUBMITTED this 29th day of June 2005.

GIVENS PURSLEY LLP

A handwritten signature in black ink, appearing to read "Michael C. Creamer", written over a horizontal line.

Jeffrey C. Fereday
Michael C. Creamer

Attorneys for Idaho Ground Water Appropriators, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of June 2005, I served a true and correct copy of the foregoing by delivering it to the following individuals by the method indicated below, addressed as stated.

Mr. Karl J. Dreher	<input type="checkbox"/>	U.S. Mail
Director	<input type="checkbox"/>	Facsimile
Idaho Department of Water Resources	<input type="checkbox"/>	Overnight Mail
322 East Front Street	<input checked="" type="checkbox"/>	Hand Delivery
P.O. Box 83720	<input type="checkbox"/>	E-mail
Boise, ID 83720-0098		
C. Tom Arkoosh, Esq.	<input checked="" type="checkbox"/>	U.S. Mail
Arkoosh Law Offices, Chtd.	<input type="checkbox"/>	Facsimile
301 Main Street	<input type="checkbox"/>	Overnight Mail
P.O. Box 32	<input type="checkbox"/>	Hand Delivery
Gooding, ID 83330	<input type="checkbox"/>	E-mail
W. Kent Fletcher, Esq.	<input checked="" type="checkbox"/>	U.S. Mail
Fletcher Law Office	<input type="checkbox"/>	Facsimile
P.O. Box 248	<input type="checkbox"/>	Overnight Mail
Burley, ID 83318-0248	<input type="checkbox"/>	Hand Delivery
	<input type="checkbox"/>	E-mail
Roger D. Ling, Esq.	<input checked="" type="checkbox"/>	U.S. Mail
Ling, Robinson & Walker	<input type="checkbox"/>	Facsimile
615 H St.	<input type="checkbox"/>	Overnight Mail
P.O. Box 396	<input type="checkbox"/>	Hand Delivery
Rupert, ID 83350-0396	<input type="checkbox"/>	E-mail
John A. Rosholt, Esq.	<input checked="" type="checkbox"/>	U.S. Mail
John K. Simpson, Esq.	<input type="checkbox"/>	Facsimile
Travis L. Thompson, Esq.	<input type="checkbox"/>	Overnight Mail
Barker, Rosholt & Simpson	<input type="checkbox"/>	Hand Delivery
113 Main Avenue West, Ste. 303	<input type="checkbox"/>	E-mail
Twin Falls, ID 83301-6167		
Kathleen Marion Carr, Esq.	<input checked="" type="checkbox"/>	U.S. Mail
Office of the Field Solicitor	<input type="checkbox"/>	Facsimile
U.S. Department of the Interior	<input type="checkbox"/>	Overnight Mail
550 West Fort Street, MSC 020	<input type="checkbox"/>	Hand Delivery
Boise, ID 83724-0020	<input type="checkbox"/>	E-mail

E. Gail McGarry, P.E.
Program Manager
Water Rights & Acquisitions
PN-3100
U.S. Bureau of Reclamation
Pacific Northwest Region
1150 N. Curtis Road
Boise, ID 83706-1234

U.S. Mail
 Facsimile
 Overnight Mail
 Hand Delivery
 E-mail

Scott L. Campbell, Esq.
Moffatt Thomas Barrett Rock & Fields, Chtd.
101 S. Capitol Blvd., 10th Floor
P.O. Box 829
Boise, ID 83701-0829

U.S. Mail
 Facsimile
 Overnight Mail
 Hand Delivery
 E-mail

Michael S. Gilmore, Esq.
Deputy Attorney General
Civil Litigation Division
Office of the Attorney General
P.O. Box 83720
Boise, ID 83720-0010

U.S. Mail
 Facsimile
 Overnight Mail
 Hand Delivery
 E-mail

Josephine P. Beeman, Esq.
Beeman & Associates PC
409 West Jefferson
Boise, ID 83702-6049

U.S. Mail
 Facsimile
 Overnight Mail
 Hand Delivery
 E-mail

Sarah A. Klahn, Esq.
White & Jankowski, LLP
511 16th Street, Suite 500
Denver, CO 80202

U.S. Mail
 Facsimile
 Overnight Mail
 Hand Delivery
 E-mail

Terry T. Uhling, Esq.
J.R. Simplot Company
999 Main Street
P.O. Box 27
Boise, ID 83707

U.S. Mail
 Facsimile
 Overnight Mail
 Hand Delivery
 E-mail

James C. Tucker, Esq.
Idaho Power Company
1221 West Idaho
P.O. Box 70
Boise, ID 83707

U.S. Mail
 Facsimile
 Overnight Mail
 Hand Delivery
 E-mail

James S. Lochhead, Esq.
Adam T. DeVoe, Esq.
Brownstein, Hyatt & Farber P.C.
410 17th Street, 22nd Floor
Denver, CO 80202

U.S. Mail
 Facsimile
 Overnight Mail
 Hand Delivery
 E-mail

Mr. Ron Carlson
Mr. Lewis Rounds
Idaho Department of Water Resources
Eastern Regional Office
900 North Skyline Dr.
Idaho Falls, ID 83402-6105

U.S. Mail
 Facsimile
 Overnight Mail
 Hand Delivery
 E-mail

Mr. Allen Merritt
Ms. Cindy Yenter
Idaho Department of Water Resources
Southern Regional Office
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3033

U.S. Mail
 Facsimile
 Overnight Mail
 Hand Delivery
 E-mail



Jeffrey C. Fereday
Michael C. Creamer