

**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, )	<b>ORDER APPROVING</b>
AMERICAN FALLS RESERVOIR DISTRICT #2, )	<b>STIPULATED HEARING</b>
BURLEY IRRIGATION DISTRICT, MILNER )	<b>SCHEDULE AND PRE-</b>
IRRIGATION DISTRICT, MINIDOKA IRRIGATION )	<b>FILED TESTIMONY AND</b>
DISTRICT, NORTH SIDE CANAL COMPANY, )	<b>EXHIBITS</b>
AND TWIN FALLS CANAL COMPANY )	
_____ )	

On June 15, 2007, the Surface Water Coalition, Idaho Ground Water Appropriators, Inc., and the City of Pocatello (collectively referred to herein as “parties”) jointly filed a *Stipulated Motion for Hearing Schedule/Resolution of IGWA and Pocatello Motion Regarding Pre-Filed Testimony and Exhibits and Order* (“Stipulated Motion”) with the Director of the Department of Water Resources (“Director” or “Department”).

The parties’ Stipulated Motion proposed the following hearing schedule:

August 22, 2007—deadline for updating expert reports previously disclosed;

August 22, 2007—deadline for pre-filed direct testimony (required for retained consultants/optional for others), and all exhibits to be used at hearing with experts;

October 3, 2007—deadline for rebuttal reports;

October 3, 2007—deadline for pre-filed rebuttal testimony and all exhibits to be used in rebuttal;

October 17, 2007—disclose all lay witnesses/identify all exhibits to be used at hearing with lay witnesses (as well as any pre-filed direct testimony for lay witnesses);<sup>1</sup>

November 1, 2007—deposition deadline/discovery completed deadline;

November 15, 2007—written opening brief/trial brief (if desired);

November 16, 2007—pre-hearing conference and hearing on pre-hearing motions; and

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<sup>1</sup> The parties have also agreed informally that the deposition deadline can be extended on a case-by-case basis in order to facilitate depositions of lay witnesses prior to trial.

November 28, 2007—hearing commences (with expected hearing to run through December 18, 2007, if necessary).

On the matter of pre-filed testimony, the parties “agreed to pre-file direct written testimony for retained consultants. The parties have agreed to leave it to their discretion with respect to filing such written testimony for lay witnesses.” *Stipulated Motion* at 2.

**ORDER**

Based on the foregoing, IT IS HEREBY ORDERED that the *Stipulated Motion for Hearing Schedule/Resolution of IGWA and Pocatello Motion Regarding Pre-Filed Testimony and Exhibits and Order* is GRANTED.

Dated this 20<sup>th</sup> day of June, 2007.

  
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DAVID R. TUTHILL, JR.  
Director

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of June, 2007, the above and foregoing, was served by the method indicated below, and addressed to the following:

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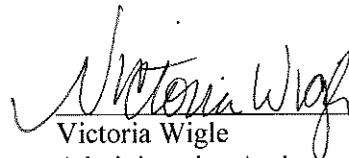
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