

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF DISTRIBUTION OF)
 WATER TO VARIOUS WATER RIGHTS)
 HELD BUY 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 CO.)

**STIPULATION AND
 JOINT MOTION FOR
 REVISED HEARING
 SCHEDULE AND ORDER**

COMES NOW, IDAHO GROUND WATER APPROPRIATORS, INC., A&B IRRIGATION DISTRICT, AMERICAN FALLS RESERVOIR DISTRICT #2, BURLEY IRRIGATION DISTRICT, MILNER IRRIGATION DISTRICT, MINIDOKA IRRIGATION DISTRICT, NORTHSIDE CANAL COMPANY, and TWIN FALLS CANAL COMPANY (hereinafter collectively referred to as “parties”), by and through their undersigned counsel of record, and hereby stipulate to the following and jointly move the Director of the Idaho Department of Water Resources to enter an Order approving the same without further notice of hearing, to-wit:

1. That the existing hearing schedule and pre-hearing deadlines be revised and the following schedule be adopted:

Deadline Description	SWC – 120
Deadline for updating expert reports previously disclosed; deadline for pre-filed direct testimony (required for retained consultants / optional for others), and all exhibits to be used at hearing with experts	9/26/07

Deadline for rebuttal reports, pre-filed rebuttal testimony and all exhibits to be used in rebuttal	11/7/07
Deadline to 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, if desired)	11/14/07
Deposition deadline / discovery completed deadline	11/28/07
Written opening brief / trial brief (if desired)	12/21/07
Pre-hearing conference and hearing on pre-hearing motions	1/4/08
Hearing	1/16-2/6/08

2. No party to this stipulation will seek a continuance of the above schedule, unless for death, illness, or similar circumstances beyond their control.

3. No party to this stipulation will seek to disqualify the proposed designated hearing officer identified to the parties' counsel either with or without cause.

4. The parties to this stipulation agree to cooperate in good faith to timely complete pre-hearing discovery.

5. That the Director or Hearing Officer enter an Order approving this Stipulation and Joint Motion for Rescheduled Hearing and Order without oral argument or hearing. Counsel for the parties have contacted counsel for the City of Pocatello and the United States Bureau of Reclamation. The City and Reclamation do not join in this Stipulation and Motion, but authorize the parties to represent that they will not object to the proposed rescheduling.

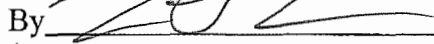
6. If the Director or the Hearing Officer does not enter an Order approving the Stipulation and granting this Motion and the motion filed by Blue Lakes Trout Farm, Clear Springs Foods, and IGWA in the consolidated proceeding regarding the Blue Lakes' Delivery

Call and Clear Springs' Delivery Call, this stipulation shall not be binding upon any party, shall be deemed withdrawn, with the hearing remaining as scheduled by previous Order.

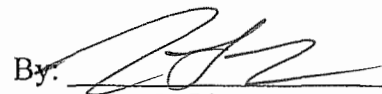
7. This Stipulation and Joint Motion for Rescheduled Hearing and Order is made upon the grounds and for the reasons that the foregoing Stipulation will avoid scheduling conflicts with the hearing schedule on the Blue Lakes Trout Company and Clear Springs Foods, Inc. Delivery Calls, enable the parties to fully prepare for the hearings, and facilitate a timely and orderly disposition of all proceedings.

DATED this 26th day of July, 2007.

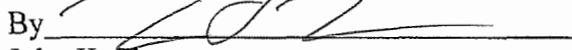
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American Falls Reservoir District #2

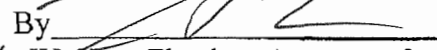
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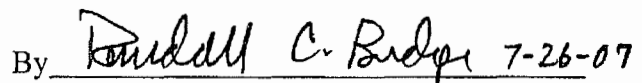
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By  7-26-07
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Appropriators, Inc. (IGWA)

ORDER

Upon duly-filed Stipulation and Joint Motion for Rescheduled Hearing and good cause appearing therefore,

IT IS HEREBY ORDERED that the foregoing Stipulation, revised hearing schedule and pre-hearing requirements be and are hereby approved; and

IT IS SO ORDERED.

DATED this _____ day of _____, 2007.

DAVID R. TUTHILL, JR., Director

CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of July, 2007, 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.

Via Email and U.S. Mail

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