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Attorneys for City of Hailey and Veolia Water Idaho, Inc.

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

IN THE MATTER OF APPLICATIONS FOR
PERMITS FOR THE DIVERSION AND USE
OF SURFACE AND GROUND WATER
WITHIN THE SNAKE RIVER BASIN

**MUNICIPAL PROVIDERS’
MOTION TO AMEND
SCHEDULING ORDER**

IN THE MATTER OF BIG WOOD RIVER
GROUND WATER MANAGEMENT AREA

City of Ammon, City of Bellevue, City of Hailey, City of Idaho Falls, City of Pocatello, Coalition of Cities¹, Falls Water Co. Inc., Veolia Water Idaho, Inc., and Wellsprings Group, LLC (collectively, the “Municipal Providers”), by and through their respective counsel of record, and pursuant to the Idaho Department of Water Resources (“IDWR”) Rules of Procedure 220 and 300, IDAPA 37.01.01.220 and .300, hereby move the Director of IDWR for an order amending the schedule set forth in his March 31, 2023 *Order Consolidating Proceedings for Hearing, Authorizing Discovery, and Scheduling; Notice of Hearing* (“Order”).

Many parties in the above-captioned proceeding, as well as their experts, are involved in the Surface Water Coalition Delivery Call proceeding, IDWR Docket No. CM-DC-2010-001,

(“SWC Delivery Call”) for which a hearing is scheduled for June 6-10, 2023. That hearing schedule overlaps with the June 9, 2023 expert report disclosure deadline set forth in the *Order* in this proceeding.

Because of the commitments required of the attorneys and experts involved in the SWC Delivery Call, it will be extremely difficult and prejudicial to maintain the June 9, 2023 expert report disclosure deadline. Accordingly, the Municipal Providers respectfully request that the schedule in the *Order* be amended as follows:

Current Deadline	Proposed New Deadline	
June 9, 2023	July 14, 2023	<p>Deadline for each party to deliver to the parties copies of their expert reports. This production deadline applies only to those parties who intend to argue against:</p> <ul style="list-style-type: none"> (a) the Director’s conclusion that “[a]pplications for municipal water use and for domestic use from community water systems shall be considered fully consumptive”; (b) the Director’s issuance of a “moratorium on pending applications from mainstem Snake River between King Hill and Swan Falls”; or (c) the Director’s conclusion regarding the impact of pumping on surface water sources upstream, from Magic Reservoir, including Silver Creek.
June 12, 2023	July 17, 2023	<p>Depositions may begin of the experts identified for purposes of meeting the above July 14, 2023 deadline.</p>
July 14, 2023	August 18, 2023	<p>Deadline for each party to deliver to the parties copies of their expert reports. This production deadline applies only to those parties who intend to argue in support of:</p> <ul style="list-style-type: none"> (a) the Director’s conclusion that “[a]pplications for municipal water use and for domestic use from community water systems shall be considered fully consumptive”; (b) the Director’s issuance of a “moratorium on pending

¹ The Coalition of Cities includes the Cities of Bliss, Burley, Carey, Declo, Dietrich, Gooding, Hazelton, Heyburn, Jerome, Paul, Richfield, Rupert, Shoshone, and Wendell.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of June, 2023, the foregoing, together with any appendices or exhibits, was filed, served, and copied as shown below.

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