

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

IN THE MATTER OF BIG WOOD RIVER  
GROUND WATER MANAGEMENT AREA

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

**SECOND AMENDED  
SCHEDULING ORDER**

On March 31, 2023, the Director of the Idaho Department of Water Resources (“Department”) issued the *Order Consolidating Proceedings for Hearing, Authorizing Discovery, and Scheduling; Notice of Hearing* (“Consolidation Order”) in the above-captioned, consolidated matter. The first proceeding pertains to the May 17, 2022 *Order Establishing Moratorium for the Big Wood River Ground Water Management Area* and the second proceeding pertains to the October 21, 2022 *Amended Snake River Basin Moratorium Order* (collectively, “Orders”).

On June 2, 2023, the cities of Bliss, Burley, Carey, Declo, Dietrich, Gooding, Hazelton, Heyburn, Jerome, Paul, Richfield, Rupert, Shoshone, and Wendell (“Coalition of Cities”) and the City of Ammon, City of Bellevue, City of Hailey, City of Idaho Falls, City of Pocatello, Falls Water Co. Inc., Veolia Water Idaho, Inc., and Wellsprings Group, LLC (collectively, the “Municipal Providers”) filed their *Motion to Amend Scheduling Order* (“Motion”). The Motion requested that the Department move certain deadlines in the above-captioned matter to accommodate overlapping deadlines in the Surface Water Coalition Delivery Call proceeding, Department Docket No. CM-DC-2010-001 (“SWC Delivery Call”). The parties conferred in proposing new dates to the Department. It is the Director’s understanding that the parties do not object to moving certain deadlines in the Consolidation Order.

On June 7, 2023, the Department issued the *Amended Scheduling Order*. After service of the Amended Scheduling Order was completed, it was brought to the attention of the Department that two of the internal dates were incorrect. The Director determined that a second amended scheduling order was needed. The changes are underlined below.

**SECOND AMENDED SCHEDULING ORDER**

The Director determined that amending the following filing deadlines would accommodate the parties as requested. This replaces the *Amended Scheduling Order* issued by the Department on June 7, 2023. Therefore, the following dates are amended as follows:

**July 11, 2023**      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:

- (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.

**July 14, 2023** Depositions may begin of the experts identified for purposes of meeting the above July 11, 2023 deadline.

**August 11, 2023** 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:

- (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.

**August 28, 2023** Depositions may begin of the experts identified for purposes of meeting the above August 11, 2023 deadline.

The remaining deadlines listed in the March 31, 2023 Consolidation Order remain unchanged. The consolidated hearing dates also remain unchanged.

Based on the foregoing, IT IS HEREBY ORDERED that the above second amended schedule is ADOPTED.

DATED this 14<sup>th</sup> day of June 2023.

  
\_\_\_\_\_  
Gary Spackman  
Director

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of June 2023, the above and foregoing was served by the method indicated below, and addressed to the following:

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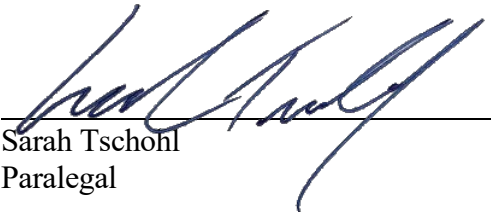
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