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 Irrigation District, Milner Irrigation District,  
 North Side Canal Company, and Twin Falls  
 Canal Company*

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

IN THE MATTER OF MAGIC VALLEY  
 GROUND WATER DISTRICT’S  
 MITIGATION PLAN FOR THE SURFACE  
 WATER COALITION

Docket No.: CM-MP-2023-005

**STIPULATED MOTION TO VACATE  
 AND RESCHEDULE PREHEARING  
 CONFERENCE**

IN THE MATTER OF THE DISTRIBUTION  
 OF WATER TO VARIOUS WATER  
 RIGHTS HELD BY AND 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 COMPANY

COME NOW, the Applicant Magic Valley Ground Water District, and the Protestants A&B Irrigation District et al., American Falls-Aberdeen Ground Water District, the City of Pocatello, and the Cities of Bliss et al. (“Coalition of Cities”) by and through their respective undersigned counsel of record, and hereby file this *Stipulated Motion to Vacate and Reschedule the PreHearing*

*Conference* in this matter. This motion is joined by counsel for the Applicant, Andrew J. Waldera, and counsel for the protestants American Falls-Aberdeen Ground Water District and the City of Pocatello, Sarah Klahn, and the Coalition of Cities, Candice McHugh.

The parties hereby request the Hearing Officer to vacate the prehearing conference set for March 11, 2024 and reschedule the conference within 10-14 business days (no earlier than April 5, 2024) following a decision from the Hearing Officer (Justice Roger Burdick) in contested case no. CM-MP-2016-001 (presently set for hearing on March 14 and 15, 2024 at IDWR’s state office). If this motion is granted counsel will coordinate with IDWR staff regarding re-scheduling the pre-hearing conference.

DATED this 27<sup>th</sup> day of February, 2024.

**MARTEN LAW LLP**

/s/ Travis L. Thompson  
Travis L. Thompson

*Attorneys for A&B Irrigation District, Burley Irrigation District, Milner Irrigation District, North Side Canal Company, and Twin Falls Canal Company*

**SAWTOOTH LAW OFFICES, PLLC**

/s/ Andrew J. Waldera  
Andrew J. Waldera  
*Attorneys for Magic Valley Ground Water District*

**FLETCHER LAW OFFICE**

/s/ W. Kent Fletcher  
W. Kent Fletcher

*Attorney for American Falls Reservoir District #2 & Minidoka Irrigation District*

**SOMACH SIMMONS & DUNN P.C.**

/s/ Sarah A. Klahn  
Sarah A. Klahn  
*Attorneys for American Falls-Aberdeen Ground Water District and City of Pocatello*

**MCHUGH & BROMLEY PLLC**

*/s/ Candice M. McHugh* \_\_\_\_\_  
Candice M. McHugh

*Attorneys for Cities of Bliss et al. (“Coalition of  
Cities”)*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 27<sup>th</sup> day of February, 2024, I served a copy of the foregoing by electronic mail to the following:

Hearing Officer Gerald F. Schroeder Garrick Baxter Sarah Tschohl State of Idaho Dept. of Water Resources 322 E Front St. Boise, ID 83720-0098 *** service by electronic mail <a href="mailto:gerald_23107@msn.com">gerald_23107@msn.com</a> <a href="mailto:garrick.baxter@idwr.idaho.gov">garrick.baxter@idwr.idaho.gov</a> <a href="mailto:sarah.tschohl@idwr.idaho.gov">sarah.tschohl@idwr.idaho.gov</a> <a href="mailto:file@idwr.idaho.gov">file@idwr.idaho.gov</a>	Andrew J. Waldera Sawtooth Law Offices, PLLC Golden Eagle Building 1101 W. River Street, Ste. 110 Boise, ID 83702 *** service by electronic mail only <a href="mailto:andy@sawtoothlaw.com">andy@sawtoothlaw.com</a>	W. Kent Fletcher Fletcher Law Offices P.O. Box 248 Burley, ID 83318 *** service by electronic mail only <a href="mailto:wkf@pmt.org">wkf@pmt.org</a>
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*/s/ Travis L. Thompson*  
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Travis L. Thompson