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BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

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

Docket No.: CM-MP-2024-001

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 Bingham 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, Dylan Anderson, 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 27th 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

DYLAN ANDERSON LAW, PLLC

/s/ Dylan Anderson
Dylan Anderson

Attorneys for Bingham Ground Water District

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/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 27th 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 gerald_23107@msn.com garrick.baxter@idwr.idaho.gov sarah.tschohl@idwr.idaho.gov file@idwr.idaho.gov	Dylan Anderson Dylan Anderson Law, PLLC P.O. Box 35 Rexburg, ID 83440 *** service by electronic mail only dylan@dylanandersonlaw.com	W. Kent Fletcher Fletcher Law Offices P.O. Box 248 Burley, ID 83318 *** service by electronic mail only wkf@pmt.org
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/s/ Travis L. Thompson

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