

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

IN THE MATTER OF LICENSING WATER)	
RIGHT PERMIT NO. 01-7011 IN THE NAME)	ORDER DESIGNATING
OF TWIN FALLS CANAL COMPANY AND)	CONTESTED CASE AND
NORTH SIDE CANAL COMPANY)	APPOINTING HEARING
_____)	OFFICER

A timely request for hearing having been filed by the Twin Falls Canal Company and the North Side Canal Company in response to the October 20, 2008 Final Order issuing a license for the above referenced water right, the Director of the Idaho Department of Water Resources ("Department") makes the following Order:

ORDER

IT IS HEREBY ORDERED that the above-captioned matter is designated a contested case before the Department.

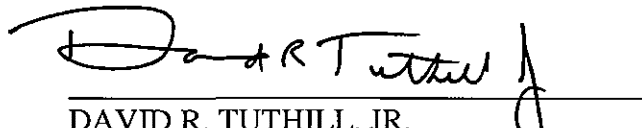
IT IS FURTHER ORDERED that Gerald F. Schroeder is hereby appointed to serve as hearing officer, and is authorized to conduct a hearing in this matter on behalf of the Department and to issue a recommended order pursuant to IDAPA Rule 37.01.01.410 and -413 and the provisions of chapter 52, title 67, Idaho Code.

IT IS FURTHER ORDERED that any petition for intervention in this proceeding shall be considered only if the persons or entities seeking intervention agree to accept the appointed hearing officer.

IT IS FURTHER ORDERED that the Director maintains jurisdiction over the ongoing administration of water right no. 01-7011.

IT IS FURTHER ORDERED that the original of all documents and pleadings filed in this matter shall be served upon the Department % Victoria Wigle, Administrative Assistant to the Director, with a copy served upon the Hearing Officer.

Dated this 12th day of November, 2008.



DAVID R. TUTHILL, JR.
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of November, 2008, the above and foregoing document was served on the following by placing a copy of the same in the United States mail, postage prepaid and properly addressed to the following:

IDAHO DEPT OF WATER RESOURCES
c/o VICTORIA WIGLE
ASSISTANT TO THE DIRECTOR
PO BOX 83720
BOISE ID 83720-0098
victoria.wigle@idwr.idaho.gov

() U.S. Mail, Postage Prepaid
() Facsimile
(x) E-mail

HONORABLE GERALD F SCHROEDER
HEARING OFFICER
[Home Address]
fcjschroeder@gmail.com

(x) U.S. Mail, Postage Prepaid
() Facsimile
(x) E-mail

JOHN ROSHOLT
TRAVIS THOMPSON
BARKER ROSHOLT
113 MAIN AVE WEST STE 303
TWIN FALLS ID 83301-6167
jar@idahowaters.com
tlt@idahowaters.com

(x) U.S. Mail, Postage Prepaid
() Facsimile
(x) E-mail

JOHN SIMPSON
BARKER ROSHOLT
PO BOX 2139
BOISE ID 83701-2139
jks@idahowaters.com

(x) U.S. Mail, Postage Prepaid
() Facsimile
(x) E-mail

Courtesy Copies:

RANDY BUDGE
RACINE OLSON
PO BOX 1391
POCATELLO ID 83204-1391
rcb@racinelaw.net

(x) U.S. Mail, Postage Prepaid
() Facsimile
(x) E-mail

ROBERT L. HARRIS
P.O. Box 50130
IDAHO FALLS, ID 83405
rharris@holdenlegal.com

(x) U.S. Mail, Postage Prepaid
() Facsimile
(x) E-mail

CRAIG B. EVANS, CHAIRMAN
BINGHAM GROUND WATER DISTRICT
P.O. Box 1268
BLACKFOOT, ID 83221

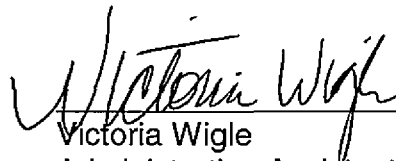
U.S. Mail, Postage Prepaid
 Facsimile
 E-mail

LYLE SWANK
IDWR
900 N SKYLINE DR
IDAHO FALLS ID 83402-6105
lyle.swank@idwr.idaho.gov

U.S. Mail, Postage Prepaid
 Facsimile
 E-mail

ALLEN MERRITT
CINDY YENTER
IDWR
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3033
allen.merritt@idwr.idaho.gov
cindy.yenter@idwr.idaho.gov

U.S. Mail, Postage Prepaid
 Facsimile
 E-mail



Victoria Wigle
Administrative Assistant to the Director
Idaho Department of Water Resources