BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF DISTRIBUTION OF WATER TO VARIOUS WATER RIGHTS HELD BY OR 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 (Water Districts No. 120 and No. 130)	)	**ORDER SETTING BRIEFING SCHEDULE** **(SURFACE WATER COALITION MOTION FOR PARTIAL SUMMARY JUDGMENT)**

This matter is before the Director of the Department of Water Resources ("Director" or "Department") as a result of a *Motion for Partial Summary Judgment and Supporting Legal Points and Authorities* ("Motion") filed by the Surface Water Coalition on January 23, 2006, pursuant to Idaho Rule of Civil Procedure 56(c) and Department Rule 37.01.01.260. In its Motion, the Surface Water Coalition did not request a hearing as required by Department Rule 37.01.01.260.03 ("If the moving party desires oral argument or hearing on the motion, it must state so in the motion."). Therefore, the matter should be deemed submitted on the briefs. Response and reply briefs should be submitted in accordance with the *Second Amended Scheduling Order* of November 25, 2005, and as summarized below.

ORDER

Based upon and consistent with the foregoing, IT IS HEREBY ORDERED as follows:

Responses to the Surface Water Coalition's *Motion for Partial Summary Judgment* must be filed no later than February 6, 2006. Replies to any and all responses to the Surface Water Coalition's *Motion for Partial Summary Judgment* must be filed no later than February 13, 2006. Thereafter, the Department will issue an order regarding the Surface Water Coalition's *Motion for Partial Summary Judgment*.

DATED this 24th day of January 2006.

KARL J. DREHER
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of January, 2006, the above and foregoing, was served by the method indicated below, and addressed to the following:

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