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

ORDER REGARDING STATUS AND SCHEDULING CONFERENCE OF JUNE 15, 2005

On June 15, 2005, the Director of the Department of Water Resources ("Director" or "Department") conducted a status and scheduling conference to address issues related to the Amended Order of May 2, 2005, in the above captioned matter.

Among other issues discussed, the Director provided for briefing and associated schedules for the following: (1) the Idaho Power Company's ("Idaho Power") status in this matter; (2) disqualification of the Director as the Hearing Officer in this matter; (3) establishment of a prehearing schedule in anticipation of a January 2006 hearing in this matter; and (4) the Idaho Ground Water Appropriators' ("IGWA") June 14, 2005, Motion to Amend Mitigation Plan and Consolidate it with Delivery Call Proceedings ("IGWA Motion to Consolidate").

ORDER

Based upon and consistent with the foregoing:

IT IS HEREBY ORDERED as follows:

1. Within seven (7) days of the status and scheduling conference, all briefing by recognized parties in regard to Idaho Power's status in this matter shall be filed with the Department. Idaho Power shall have seven (7) days in which to reply.

2. Within fourteen (14) days of the status and scheduling conference, all briefing in regard to the disqualification of the Director as the Hearing Officer in this matter shall be filed with the Department.

3. Within fourteen (14) days of the status and scheduling conference, all proposals in regard to the establishment of a prehearing schedule shall be filed with the Department.
Department. Shortly thereafter, the Director will issue the prehearing schedule. The proposed prehearing schedules should be consistent with the Director’s intention to schedule a hearing in the above captioned matter in January 2006. If the parties wish to engage in discovery, motions must be filed with the Department in accordance with IDAPA 37.01.01.521.

4. Within fourteen (14) days of the status and scheduling conference, all responsive briefing in regard to the IGWA Motion to Consolidate shall be filed with the Department. IGWA shall have seven (7) days in which to reply.

DATED this 16th day of June 2005.

KARL J. DREHER
Director
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16th day of June, 2005, the above and foregoing, was served by the method indicated below, and addressed to the following:

TOM C. ARKOOSH
ARKOOSH LAW OFFICES
PO BOX 32
GOODING ID  83330
(208) 934-8873
alo@cableone.net

W KENT FLETCHER
FLETCHER LAW OFFICE
PO BOX 248
BURLEY ID  83318-0248
(208) 878-2548
wkf@pmt.org

ROGER D. LING
LING ROBINSON
PO BOX 396
RUPERT ID  83350-0396
(208) 436-6804
lnrlaw@pmt.org

JOHN A. ROSHOLT
TRAVIS L. THOMPSON
BARKER ROSHOLT
113 MAIN AVENUE WEST, SUITE 303
TWIN FALLS ID  83301-6167
(208) 735-2444
jar@idahowaters.com
tlt@idahowaters.com

JOHN K. SIMPSON
BARKER ROSHOLT
PO BOX 2139
BOISE ID  83701-2139
(208) 344-6034
jks@idahowaters.com

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

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

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

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

(x) U.S Mail, Postage Prepaid
( ) Facsimile
(x) E-mail
ALLEN MERRITT
CINDY YENTER
IDWR
1341 FILLMORE STREET, SUITE 200
TWIN FALLS ID 83301-3033
(208) 736-3037
allen.merritt@idwr.idaho.gov
cindy.yenter@idwr.idaho.gov

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

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