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)	)	**THIRD AMENDED SCHEDULING ORDER**

On May 2, 2006, the Director of the Department of Water Resources ("Director" or "Department") issued *Order Inviting Responses To Motions For Changes In Scheduling Order* in response to the *Motion For Extension Of Deadlines And To Reset Hearing* filed by the City of Pocatello ("Pocatello") on April 27, 2006, and *IGWA's Response To Pocatello's Motion For Extension Of Time And IGWA's Separate Motion For Extension Of Time* filed by the Idaho Ground Water Appropriators, Inc. ("IGWA") on May 2, 2006. In addition to inviting responses to pending motions to modify the hearing schedule, the Director's May 2 Order stayed, with certain exceptions, the remaining deadlines under the *Amended Scheduling Order* of February 10, 2006, pending further order of the Director.

Pocatello's motion and IGWA's response requested that the Director set and extend various deadlines in this matter including the date for commencement of the hearing then set for May 31, 2006. While Pocatello requested that the hearing date be extended to June 21, 2006, IGWA stated that a longer extension to September 5, 2006, for commencement of the hearing was required. On May 8, 2006, the Surface Water Coalition ("SWC") filed *Surface Water Coalition's Response to IGWA / Pocatello Extension Motions and Request for Status Conference*. In its filing, the SWC proposes a schedule extending the date for commencement of the hearing three additional weeks to September 26, 2006, to allow time for the deposition of additional expert rebuttal witnesses, if any, between the submission of the expert rebuttal reports and the start of the hearing. The U. S. Department of the Interior, Bureau of Reclamation filed a response on May 8, 2006, joining in the SWC response.

On May 12, 2006, Pocatello filed *Pocatello's Reply To Responses To Pocatello's Motion To Extend Deadlines And Pocatello's Reply In Support of IGWA's Separate Motion For Extension Of Time.* Pocatello in its reply states that it adopts the hearing schedule proposed by IGWA and further asserts that the hearing should begin as soon as possible and that time in addition to that proposed by IGWA is not need by the parties to prepare for the hearing.

ORDER

Based upon consideration of the foregoing, the Director enters the following amended scheduling order:

IT IS HEREBY ORDERED as follows:

1.	June 1 – 30, 2006:	Period for conducting expert depositions.
2.	August 7, 2006:	Submission of expert rebuttal reports.
3.	September 1, 2006:	Parties identify exhibits, data, scientific information, and all documents that may be used at hearing.
4.	September 1, 2006:	Parties may submit proposed orders to govern procedures at the hearing.
5.	September 8, 2006:	Prehearing conference at 9:00 a.m. at the Idaho Department of Water Resources.
6.	September 19, 2006:	Parties submit written opening arguments, and, if desired, trial brief.
7.	September 26, 2006:	Hearing commences at 9:00 a.m. at the Idaho Department of Water Resources.

DATED this 19th day of May, 2006.

KARL J. DREHER
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of May, 2006, the above and foregoing, was served by the method indicated below, and addressed to the following:

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