Roger D. Ling, ISB #1018
LING ROBINSON & WALKER
P.O. Box 396
Rupert, Idaho 83350
Telephone: (208) 436-4717
Facsimile: (208) 436-6804

Attorneys for A & B Irrigation District and
Burley Irrigation District

C. Tom Arkoosh, ISB #2253
ARKOOSH LAW OFFICES, CHTD.
P.O. Box 32
Gooding, Idaho 83330
Telephone: (208) 934-8872
Facsimile: (208) 934-8873

Attorneys for American Falls
Reservoir District #2

John A. Rosholt, ISB #1037
John K. Simpson, ISB #4242
Travis L. Thompson, ISB #6168
BARKER ROSHOLT & SIMPSON LLP
113 Main Ave. West, Suite 303
Twin Falls, Idaho 83301-6167
Telephone: (208) 733-0700
Facsimile: (208) 735-2444

Attorneys for Milner Irrigation District,
North Side Canal Company, and
Twin Falls Canal Company

W. Kent Fletcher, ISB #2248
FLETCHER LAW OFFICE
P.O. Box 248
Burley, Idaho 83318
Telephone: (208) 678-3250
Facsimile: (208) 878-2548

Attorneys for Minidoka Irrigation District

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 HEARING ON DIRECTOR'S MAY 2, 2005 AMENDED ORDER	**SURFACE WATER COALITION'S AMENDED MOTION IN LIMINE TO EXCLUDE EXPERT REPORT OF JOHN CHURCH AND REQUEST FOR HEARING**

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 Company (collectively hereafter referred to as the "Surface Water Coalition" or "Coalition"), by and through counsel of record, hereby amends its *Motion in Limine to Exclude Expert Report of John Church* filed in this matter on January 23, 2006 and requests a hearing on the motion.

Pursuant to the Director's May 2, 2006 *Order Inviting Responses to Motions for Changes in Scheduling Order*, it is the Coalition's understanding that all deadlines presently existing under the February 10, 2006 scheduling order are stayed pending further order of the Director. Therefore, the date and time previously set for the pre-hearing conference, May 16, 2006 at 9:00 a.m., would be available for the parties and Hearing Officer and would be an appropriate time for a hearing on this motion.

Accordingly, the Coalition requests a hearing on its *Motion in Limine to Exclude Expert Report of John Church* to be held at 9:00 a.m. on Tuesday May 16, 2006 at the Idaho Department of Water Resources, 322 E. Front St., Boise, Idaho.

DATED this 8th day of May, 2006.

LING ROBINSON & WALKER

Roger D. Ling

Attorneys for A & B Irrigation District and Burley Irrigation District

ARKOOSH LAW OFFICES CHTD.

C. Tom Arkoosh

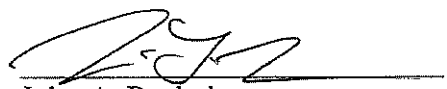
Attorneys for American Falls Reservoir District #2

FLETCHER LAW OFFICES

W. Kent Fletcher

Attorneys for Minidoka Irrigation District

BARKER ROSHOLT & SIMPSON LLP



John A. Rosholt
John K. Simpson
Travis L. Thompson

Attorneys for Milner Irrigation District,
North Side Canal Company, and
Twin Falls Canal Company

CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of May, 2006, I served a true and correct copy of the foregoing *Surface Water Coalition's Amended Motion in Limine to Exclude Expert Report of John Church and Request for Hearing* on the following by the method indicated:

Via Email & U.S. Mail

Director Karl Dreher
Idaho Department of Water Resources
322 E. Front St.
Boise, Idaho 83720-0098
victoria.wigle@idwr.idaho.gov

IDWR – Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, Idaho 83402-1718

IDWR – Southern Region
1341 Fillmore St., Suite 200
Twin Falls, Idaho 83301-3380

Jeffrey C. Fereday
Michael C. Creamer
Givens Pursley LLP
601 Bannock St., Suite 200
P.O. Box 2720
Boise, Idaho 83701-2720

James C. Tucker
Idaho Power Company
1221 West Idaho St.
Boise, Idaho 83702

James S. Lochhead
Adam T. DeVoe
Brownstein, Hyatt & Farber P.C.
410 17th St., 22nd Floor
Denver, Colorado 80202

Scott L. Campbell
Moffatt Thomas Chtd.
101 S. Capitol Blvd., 10th Floor
P.O. Box 829
Boise, Idaho 83701

Terry Uhling
J.R. Simplot Company
999 Main St.
Boise, Idaho 83702

Kathleen Marion Carr
U.S. Department of Interior
550 West Fort St., MSC-020
Boise, Idaho 83724

Jo Beeman
Beeman & Assoc.
409 W. Jefferson St.
Boise, Idaho 83702

Michael Gilmore
Attorney General's Office
P.O. Box 83720
Boise, Idaho 83720-0010

Sarah Klahn
White & Jankowski
Kittredge Building
511 16th St., Suite 500
Denver, Colorado 80202

Travis L. Thompson