

**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)	Docket No. CM-DC-2010-001
THE BENEFIT OF A&B IRRIGATION DISTRICT,)	
AMERICAN FALLS RESERVOIR DISTRICT #2,)	
BURLEY IRRIGATION DISTRICT, MILNER)	ORDER LIMITING HEARING
IRRIGATION DISTRICT, MINIDOKA IRRIGATION)	EVIDENCE AND OFFERING
DISTRICT, NORTH SIDE CANAL COMPANY,)	WITNESSES
AND TWIN FALLS CANAL COMPANY)	
_____)	

The interim director of the Idaho Department of Water Resources (“Department”) scheduled a hearing to begin on May 24, 2010 for the *Order Regarding April 2010 Forecast Supply (Methodology Steps 3 & 4)*, dated April 29, 2010 (“As Applied Order”). On May 10, 2010, the interim director issued an Order Denying IGWA’s Request for Stay and or Extension of Time; *Order granting Request for Reconsideration and Hearing; Order Authorizing Discovery, in Part; and Notice of Hearing*. The above order notified that parties that a hearing for the As Applied Order would be conducted beginning on May 24, 2010.

On May 20, 2010, Idaho Ground Water Appropriators (“IGWA”) and the City of Pocatello requested the attendance of the following IDWR employees at the hearing to be available as witnesses: Lyle Swank, Tony Olenichak, Allan Wylie, Mathew Weaver, and Elizabeth Cresto.

The purpose of the hearing is to determine whether the As Applied Order followed steps 3 & 4 of the Methodology Order. Mathew Weaver and Liz Cresto are familiar with the relationship between the As Applied Order and the Methodology Order. While Lyle Swank and Tony Olenichak may have some familiarity with the relationship between the Methodology Order and the As Applied Order, they are not the best source of information. Allan Wylie is a ground water modeler, and may have limited knowledge about the As Applied Order.

ORDER

IT IS HEREBY ORDERED that the evidence presented at the hearing for the As Applied Order shall be limited to information relevant to whether the Department followed steps 3 and 4 of the Methodology Order.

IT IS FURTHER ORDERED that Mathew Weaver, Liz Cresto, and Allan Wylie shall be available to present evidence and testimony and be subject to examination at the hearing.

IT IS FURTHER ORDERED that the request for other Department witnesses at the hearing is **Denied**.

Dated this 21st day of May, 2010.

A handwritten signature in black ink, reading "Gary Spackman", written over a horizontal line.

Gary Spackman
Interim Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of May, 2010, the above and foregoing, was served by the method indicated below, and addressed to the following:

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