

Jeffrey C. Fereday (Idaho State Bar # 2719)
Michael C. Creamer (Idaho State Bar # 4030)
GIVENS PURSLEY LLP
601 Bannock Street, Suite 200
P.O. Box 2720
Boise, ID 83701-2720
Telephone: (208) 388-1200
Facsimile: (208) 388-1300

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FEB 18 2005
DEPARTMENT OF
WATER RESOURCES

Attorneys for Idaho Ground Water Appropriators, Inc.

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF THE REQUEST FOR
ADMINISTRATION IN WATER DISTRICT
120 AND THE REQUEST FOR DELIVERY
OF WATER TO SENIOR SURFACE
WATER RIGHTS BY 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

**IDAHO GROUND WATER
APPROPRIATORS, INC.'S
MOTION FOR ORDER AUTHORIZING
DISCOVERY**

1. Idaho Ground Water Appropriators, Inc., ("IGWA"), through its attorneys Jeffrey C. Fereday and Michael C. Creamer of the law firm of Givens Pursley LLP, pursuant to Department Rule 521, hereby move for an order of the Department authorizing IGWA to engage in discovery by way of interrogatories, requests for production or admission, deposition and all other methods authorized by the Idaho Rules of Civil Procedure. IGWA further requests that such order establish an expedited schedule for conducting discovery.

2. IGWA has been granted intervenor status in the above-captioned matter.

3. By way of example, but without limitation, IGWA may seek to discover from the members of the Surface Water Coalition (the "Petitioners") information not requested by the Department in its February 14, 2005 Order such as: 1) maps or descriptions of irrigation water delivery systems and service areas, showing lands served, measurement points, control structures and facility capacities, of each of the Petitioners; 2) historical diversion, storage and delivery records of each of the Petitioners for years prior to those requested by the Department, including years prior to 1950; 3) documentation of historical and present *on-farm* beneficial use of the water diverted, stored or delivered by each of the Petitioners by year; 4) documentation of reported and actual irrigated acres within each of the Petitioners' service areas by year; 5) documentation of any actual impacts to *on farm* beneficial use, including reduced farmable acres, crop losses or yield reductions resulting from water shortage; 6) operations and/or delivery policies governing deliveries of water to the Petitioners' patrons or shareholders; 7) communications between each of the Petitioners and their patrons or shareholders concerning water supplies, contingencies and actual deliveries of water; 8) all records of spills, drains and return flows; 9) all contracts or other agreements between the Petitioners and any power company or energy distributor concerning operation and energy production of hydroelectric generating facilities owned and/or operated by any Petitioner; 10) all documents created in the planning and development of the above-mentioned hydroelectric facilities; 11) any communications or agreements, oral or written, between Petitioners and Idaho Power Company concerning conjunctive management of Snake River and ESPA water rights, including any communications or agreements concerning the above-captioned delivery call by the Petitioners.

DATED this 18th day of February 2005.

GIVENS PURSLEY LLP

By: 
Michael C. Creamer
Attorneys for Idaho Ground Water Appropriators, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of February 2005, I served a true and correct copy of the foregoing by delivering the same to each of the following individuals by the method indicated below, addressed as follows:

Mr. Karl J. Dreher
Director
Idaho Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

U.S. Mail
 Facsimile
 Overnight Mail
 Hand Delivery

C. Tom Arkoosh, Esq.
Arkoosh Law Offices, Chtd.
301 Main Street
P.O. Box 32
Gooding, ID 83330

U.S. Mail
 Facsimile
 Overnight Mail
 Hand Delivery

W. Kent Fletcher, Esq.
Fletcher Law Office
P.O. Box 248
Burley, ID 83318-0248

U.S. Mail
 Facsimile
 Overnight Mail
 Hand Delivery

Roger D. Ling, Esq.
Ling, Robinson & Walker
615 H St.
P.O. Box 396
Rupert, ID 83350-0396

U.S. Mail
 Facsimile
 Overnight Mail
 Hand Delivery

John A. Rosholt, Esq.
John K. Simpson, Esq.
Travis L. Thompson, Esq.
Barker, Rosholt & Simpson
113 Main Avenue West, Ste. 303
Twin Falls, ID 83301-6167

U.S. Mail
 Facsimile
 Overnight Mail
 Hand Delivery

James C. Tucker, Esq.
Idaho Power Company
1221 West Idaho P.O. Box 70
Boise, ID 83707

U.S. Mail
 Facsimile
 Overnight Mail
 Hand Delivery

Idaho Department of Water Resources
Eastern Regional Office
Idaho Department of Water Resources
900 North Skyline Dr.
Idaho Falls, ID 83402-6105

U.S. Mail
 Facsimile
 Overnight Mail
 Hand Delivery

Idaho Department of Water Resources
Southern Regional Office
Idaho Department of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3033

U.S. Mail
 Facsimile
 Overnight Mail
 Hand Delivery



Michael C. Creamer