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DEPARTMENT OF
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**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'
RENEWED MOTION FOR ORDER
AUTHORIZING DISCOVERY**

Idaho Ground Water Appropriators, Inc. ("IGWA"), through its counsel Givens Pursley LLP and on behalf of its ground water district members, Aberdeen-American Falls Ground Water District, Magic Valley Ground Water District, Bingham Ground Water District, North Snake Ground Water District, Bonneville-Jefferson Ground Water District, Southwest Irrigation District, and Madison Ground Water District (the "Ground Water Districts" or "IGWA"), hereby renews its' Motion for Order Authorizing Discovery ("Discovery Motion") filed with the Idaho Department of Water Resources ("Department") on February 18, 2005.

The SWC previously has opposed IGWA's Discovery Motion on the ground that their request for administration did not result in a contested case and therefore discovery was not allowed. The Director, however, in repeated orders issued beginning on February 14, 2005, has deemed this to be a contested case proceeding. Furthermore, the Director's March 9, 2005 Order denying IGWA's Discovery Motion was without prejudice and authorized IGWA to renew the Discovery Motion after the SWC had submitted the information requested by the Department and the Department had considered and responded to that information. Those conditions precedent now have occurred.

IGWA requests that it be authorized to engage in discovery consistent with the Idaho Rules of Civil Procedure, the Department's rules, and any pre-hearing orders that may be issued by the Department governing the timing and/or scope of discovery in this matter.

RESPECTFULLY SUBMITTED this 29th day of June 2005.

GIVENS PURSLEY LLP



Jeffrey C. Fereday
Michael C. Creamer

Attorneys for Idaho Ground Water Appropriators, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of June 2005, I served a true and correct copy of the foregoing by delivering it to the following individuals by the method indicated below, addressed as stated.

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