**BEFORE THE DEPARTMENT OF WATER RESOURCES**

**OF THE STATE OF IDAHO**

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| 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 | ) | **ORDER REGARDING DEPOSITION OF DEPARTMENT EMPLOYEES** |

On July 22, 2005, the Director of the Department of Water Resources ("Director" or "Department") issued a *Scheduling Order*, in which it was stated that, upon written request, Department employees would be made available for deposition.

On August 23, 2005, the Director received a filing entitled *IGWA's, Pocatello's and State Agency Ground Water Users' Joint Written Request to Depose Idaho Department of Water Resources Employees* ("Joint Request"). The Joint Request sought that the Department make available a number of its employees and contractors[1] for deposition, beginning the week of August 29, 2005, or as soon thereafter as practicable.

On August 24, 2005, the Director received a filing entitled *Surface Water Coalition's Objection to Proposed Deposition Schedule of IDWR Employees Submitted by IGWA/Pocatello/State Agency Ground Water Users* ("Objection"). Rather than the week of August 29, 2005, the Objection stated that a better time for deposition of Department employees and contractors would be the week of October 10, 2005. The Objection further reserved the Surface Water Coalition's right to submit its own requests for deposition of Department employees and contractors, including those identified in the Joint Request.

## ORDER

Based upon consideration of the foregoing, IT IS HEREBY ORDERED as follows:

The following Department employees and contractors will be made available for deposition by all of the parties in the above captioned matter, subject to the following terms and conditions:

1. The following Department employees shall be available for deposition in Boise, at the Idaho Department of Water Resources on the following identified dates:

[1] The Joint Request seeks to depose the following Department employees and contractors: Ron Carlson, Tim Luke, Allan Wylie, Michael Ciscell, David Tuthill, Donna Cosgrove, and Bryce Contor.

a. Tim Luke, September 12, 2005;
b. Michael Ciscell, September 12, 2005, or September 13, 2005;
c. David Tuthill, September 28, 2005; and
d. Allan Wylie, September 28, 2005, or September 29, 2005.

2. The following Department employees and contractors shall be available for deposition in Idaho Falls, at the Idaho Department of Water Resources Eastern Regional Office on October 11, 12, and 13, 2005:

a. Ron Carlson;
b. Donna Cosgrove; and
c. Bryce Contor.

DATED this 2nd day of September 2005.

KARL J. DREHER
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of September, 2005, the above and foregoing, was served by the method indicated below, and addressed to the following:

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