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**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  
RESPONSE TO POCATELLO'S  
MOTION FOR STAY**

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 responds to the *Motion for Stay* filed by the City of Pocatello on June 9, 2006.

**RESPONSE**

The Coalition does not oppose the stay of the May 19, 2006 *Third Amended Scheduling Order*, including vacating pending notices of expert depositions and the September 26<sup>th</sup> hearing date. Counsel for the Coalition have discussed the stay with IGWA's counsel who have agreed that a stay of all deadlines under the May 19, 2006 order is warranted. Although the Coalition does not oppose staying the administrative case for the hearing on the Director's May 2, 2005 *Amended Order*, it opposes any stay of the finalization of the 2005 mitigation obligations as well as water right administration and injury determinations for 2006.

DATED this 13<sup>th</sup> day of June, 2006.

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## CERTIFICATE OF SERVICE

I hereby certify that on this 13<sup>th</sup> day of June, 2006, I served a true and correct copy of the foregoing *Surface Water Coalition's Response to Pocatello's Motion for Stay* on the following by the method indicated:

Via Email and U.S. Mail

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