

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

IN THE MATTER OF THE PETITION ) FOR DELIVERY CALL OF A & B ) IRRIGATION DISTRICT FOR THE ) DELIVERY OF GROUND WATER AND ) FOR THE CREATION OF A GROUND ) WATER MANAGEMENT AREA )	DOCKET NO. 37-03-11-1  STIPULATION AND JOINT MOTION TO SET PRE-HEARING SCHEDULE
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COMES NOW, A&B IRRIGATION DISTRICT, the IDAHO GROUND WATER APPROPRIATORS, INC., and the CITY OF POCA TELLO, by and through their undersigned counsel of record, and hereby stipulate to the following and jointly move the Hearing Officer to enter an Order approving the same without further notice of hearing, to-wit:

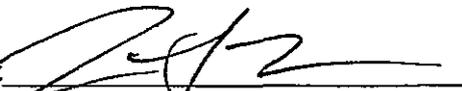
1. That the following schedule be adopted:

Deadline Description	A&B Hearing
Deadline for A&B to file Motion on Legal Issue Identified in A&B's February 13, 2008 <i>Petition</i> at 2 (applicability of Idaho's Ground Water Act).	3/21/08
Response Deadline to A&B's Motion	4/11/08
A&B Reply Deadline	4/25/08
Hearing on A&B Motion	5/02/08
Deadline for filing expert reports; deadline for pre-filed direct testimony (required for retained consultants / optional for others), and all exhibits to be used at hearing with experts	7/16/08
Deadline for expert rebuttal reports, pre-filed rebuttal testimony and all exhibits to be used in rebuttal	8/27/08

Deadline to disclose all lay witnesses and summary of all lay witness testimony / identify all exhibits to be used at hearing with lay witnesses (as well as any pre-filed direct testimony for lay witnesses, if desired)	8/29/08
Dispositive Motion Deadline	9/12/08
Deposition deadline / discovery completed deadline	10/17/08
Written opening brief / trial brief (if desired)	11/07/08
Pre-hearing conference and hearing on pre-hearing motions	11/14/08
Hearing	12/3/08 - 12/17/08

DATED this 20<sup>th</sup> day of March 2008.

**BARKER ROSHOLT & SIMPSON LLP**

By:   
Travis L. Thompson

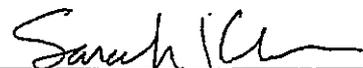
Attorneys for A & B Irrigation District

**RACINE OLSON**

By: \_\_\_\_\_  
Randy C. Budge  
Candice M. McHugh

Attorneys for Idaho Ground Water Appropriators, Inc.

**WHITE & JANKOWSKI**

By:   
Sarah A. Klahn

Attorneys for City of Pocatello

STIPULATION AND JOINT MOTION TO  
SET PRE-HEARING SCHEDULE - 2

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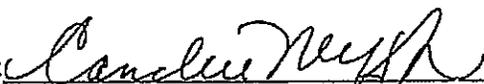
DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

**BARKER ROSHOLT & SIMPSON LLP**

By: \_\_\_\_\_  
Travis L. Thompson

Attorneys for A & B Irrigation District

**RACINE OLSON**

By:   
Randy C. Budge  
Candice M. McHugh

Attorneys for Idaho Ground Water Appropriators, Inc.

**WHITE & JANKOWSKI**

By: \_\_\_\_\_  
Sarah A. Klahn

Attorneys for City of Pocatello

**ORDER**

Upon duly-filed Stipulation and Joint Motion to Set Pre-Hearing Hearing and good cause appearing therefore,

IT IS HEREBY ORDERED that the foregoing Stipulation, pre-hearing schedule and pre-hearing requirements be and are hereby approved; and

IT IS SO ORDERED.

DATED this 25 day of March, 2008.

  
Gerald K. Schroeder  
Hearing Officer

CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy of the following described document on the persons listed below by mailing in the United States mail, first class, with the correct postage affixed thereto on the 26 day of March, 2008.

Roger D. Ling PO Box 396 Rupert, Idaho 83350	John K. Simpson Travis L. Thompson Barker Rosholt & Simpson 113 Main Avenue West, Suite 303 P.O. Box 485 Twin Falls, ID 83303-0485
Gerald F. Schroeder Hearing Officer 3216 N. Mountain View Dr. Boise, ID 83704	City of Firth Box 37 Firth, Idaho 83236
B.J. Driscoll McGrath Meacham & Smith PLLC 414 Shoup PO Box 50731 Idaho Falls ID 83405	Michael Patterson, President Desert Ridge Farms, Inc. PO Box 185 Paul ID 83347
Randall C. Budge Racine Olson Nye Budge & Bailey PO Box 1391 201 E Center Street Pocatello ID 83204-1391	Candice M. McHugh Racine Olson Nye Budge & Bailey 101 S Capitol Suite 208 Boise ID 83702
Todd Lowder 2607 W 1200 S Sterling ID 83210	Neil and Julie Morgan 762 West Hwy 39 Blackfoot ID 83221
Charlene Patterson, President Patterson Farms of Idaho 277 N 725 Lane W Paul ID 83347	William A. Parsons Parsons Smith & Stone, LLP 137 West 13 <sup>th</sup> Street PO Box 910 Burley ID 83318
A. Dean Tranmer City of Pocatello PO Box 4169 Pocatello ID 83201	Sarah A. Klahn White & Jankowski LLP 511 Sixteenth Street Suite 500 Denver CO 80202
Winding Brook Corporation C/o Charles W. Bryan Jr. UBS Agrivest LLC PO Box 53 Nampa ID 83653	James C. Tucker Idaho Power Company 1221 West Idaho Street Boise, ID 83702-5627

<p>James S. Lochhead  Michael A. Gheleta  Brownstein Hyatt Farber Schreck P.C.  410 Seventeenth Street Suite 2200  Denver, CO 80202</p>	<p>City of Castleford  PO Box 626  300 Main  Castleford, ID 83321</p>
<p>F. Randall Kline  PO Box 397  427 North Main St  Pocatello, ID 83204</p>	<p>Lary S. Larson  Hopkins Roden Crockett Hansen &amp; Hoopes PLLC  PO Box 51219  Idaho Falls, ID 83405-1219</p>
<p>Josephine P. Beeman  Beeman &amp; Associates P.C.  409 West Jefferson Street  Boise, ID 83702</p>	<p>City of Basalt  PO Box 178  Basalt, Idaho 83218</p>
<p>M. Jay Meyers  Meyers Law Office PLLC  300 North Seventh Avenue  PO Box 4747  Pocatello ID 83205</p>	<p>Gary L. Cooper  Cooper and Larsen  151 North 3<sup>rd</sup> Ave – 2<sup>nd</sup> Floor  P.O. Box 4229  Pocatello ID 83205-4229</p>
<p>LaDell and Sherry R. Anderson  304 N 500 W  Paul ID 83347</p>	<p>Denise Glore, Attorney  Office of Chief Counsel  U.S. Department of Energy  1955 Fremont Avenue MS 1209  Idaho Falls ID 83415-1510</p>
<p>Mary Ann Plant  480 N 150 W  Blackfoot, ID 83221</p>	<p>O.E. Feld &amp; Berneta Feld  1470 S 2750 W  Aberdeen, ID 83210</p>
<p>Jeff Feld  719 Bitterroot Drive  Pocatello ID 83201</p>	<p>Eugene Hruza  PO Box 66  Minidoka ID 83343</p>
<p>Jerry Rigby  Rigby Andrus and Moeller  25 North Second East  Rexburg, ID 83440</p>	<p>Robert E. Williams  Fredericksen Williams Meservy &amp; Lothspeich LLP  153 East Main Street  PO Box 168  Jerome ID 83338</p>
<p>Gregory P. Meacham  McGrath Meacham &amp; Smith PLLC  414 Shoup  Idaho Falls ID 83405</p>	<p>Fred &amp; Phyllis Stewart  300 Sugar Leo Road  St. George, UT 84790</p>
<p>Richard J. Kimmel  867N 800E  Shelley, ID 83274</p>	<p>Steve L. Stephens  City of Arco  260 Grand Avenue  PO Box 736  Arco, ID 83213</p>

*Karen Wood*

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Karen Wood

Administrative Assistant

Idaho Department of Water Resources