

RECEIVED

APR 21 2005

DEPARTMENT OF
WATER RESOURCES

Jeffrey C. Fereday (Idaho State Bar # 2719)
Michael C. Creamer (Idaho State Bar # 4030)
Deborah E. Nelson (Idaho State Bar #5711)
GIVENS PURSLEY LLP
601 Bannock Street, Suite 200
P.O. Box 2720
Boise, ID 83701-2720
Telephone: (208) 388-1200
Facsimile: (208) 388-1300

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'
MOTION FOR STATUS CONFERENCE**

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"), hereby moves the Director, of the Idaho Department of Water Resources ("Director") to convene a status conference in this matter on **April 26 or 27, 2005**. The reasons for this motion are as follows:

COPY

1. The Director's April 19, 2005 Order in this matter ("Order") is far-reaching and complex. The Ground Water Districts need clarification about how the Director contemplates that the Order would be implemented. A status conference would provide all parties the opportunity to obtain this clarification. Examples of the areas where the Ground Water Districts have questions include, but are not limited to:

a. The means by which multi-year accounting process both for provision of replacement water and the disposition of it for or on behalf of the Surface Water Coalition members.

b. If dry-up of irrigated land is required or offered to meet a particular reach gain target, what flexibility is available to ground water districts in determining which acres will be dried up?

c. How are mitigation amounts for non-irrigation uses to be determined? Can these users fully participate in a ground water district's mitigation program by providing funding to the ground water district?

2. The April 19 Order establishes certain deadlines, one of which is April 29, 2005. It would advance the Director's goal of implementation of the Order's requirements for the Ground Water Districts to discuss with the Director and the parties what deliverables and schedules are necessary to meet these deadlines.

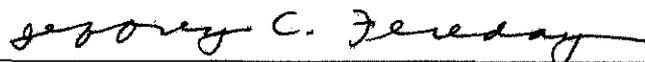
3. A status conference would provide the parties an opportunity to discuss the opportunity for settlement, on either an interim or long-term basis.

4. In making this Motion, the Ground Water Districts are not proposing to argue the merits of the Order, but rather to understand how the Director intends to implement it.

By submitting this Motion, the Ground Water Districts do not waive any rights they have to file further motions in this matter, including motions challenging certain aspects of the Order.

RESPECTFULLY SUBMITTED this 21st day of April 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 21st day of April 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
 E-mail

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
 E-mail

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

U.S. Mail
 Facsimile
 Overnight Mail
 Hand Delivery
 E-mail

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
 E-mail

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
 E-mail

E. Gail McGarry, P.E.
Program Manager
Water Rights & Acquisitions
PN-3100
U.S. Bureau of Reclamation
Pacific Northwest Region
1150 N. Curtis Road
Boise, ID 83706-1234

U.S. Mail
 Facsimile
 Overnight Mail
 Hand Delivery
 E-mail

Scott L. Campbell, Esq.
Moffatt Thomas Barrett Rock & Fields, Chtd.
101 S. Capitol Blvd., 10th Floor
P.O. Box 829
Boise, ID 83701-0829

U.S. Mail
 Facsimile
 Overnight Mail
 Hand Delivery
 E-mail

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

U.S. Mail
 Facsimile
 Overnight Mail
 Hand Delivery
 E-mail

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

U.S. Mail
 Facsimile
 Overnight Mail
 Hand Delivery
 E-mail



Michael C. Creamer