

RECEIVED

MAY 02 2006

DEPARTMENT OF
WATER RESOURCES

Roger D. Ling, ISB #1018
LING ROBINSON & WALKER
P.O. Box 396
Rupert, Idaho 83350
Telephone: (208) 436-4717
Facsimile: (208) 436-6804

C. Tom Arkoosh, ISB #2253
AR KOOSH LAW OFFICES, CHTD.
P.O. Box 32
Gooding, Idaho 83330
Telephone: (208) 934-8872
Facsimile: (208) 934-8873

Attorneys for A & B Irrigation District and
Burley Irrigation District

Attorneys for American Falls
Reservoir District #2

John A. Rosholt, ISB #1037
John K. Simpson, ISB #4242
Travis L. Thompson, ISB #6168
BARKER ROSHOLT & SIMPSON LLP
113 Main Ave. West, Suite 303
Twin Falls, Idaho 83301-6167
Telephone: (208) 733-0700
Facsimile: (208) 735-2444

W. Kent Fletcher, ISB #2248
FLETCHER LAW OFFICE
P.O. Box 248
Burley, Idaho 83318
Telephone: (208) 678-3250
Facsimile: (208) 878-2548

Attorneys for Minidoka Irrigation District

Attorneys for Milner Irrigation District,
North Side Canal Company, and
Twin Falls Canal Company

**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
REQUEST FOR AMENDED BRIEFING
SCHEDULE / NOTICE OF INTENT TO
RESPOND TO POCATELLO'S
MOTION**

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 requests an amendment to the Hearing Officer's briefing schedule for the pending replies to be submitted by the Coalition in support of its *Motion for Partial Summary Judgment* and *Motion in Limine*.

REQUEST FOR ADDITIONAL TIME FOR REPLIES

The original briefing schedule on the Coalition's *Motion for Partial Summary Judgment* and *Motion in Limine* required responses to be filed on February 6, 2006. See January 24, 2006 *Order Setting Briefing Schedule*. Subsequently, the case was stayed and the deadline was extended for over three months to April 28, 2006. See February 10, 2006 *Order Staying Proceedings and Amended Scheduling Order*. IGWA and Pocatello filed a joint response to the Coalition's *Partial Summary Judgment* and IGWA filed a response to the Coalition's *Motion in Limine* on April 28, 2006. The Coalition just received the responses and accompanying documents yesterday. The Coalition requests a two week extension, until May 19, 2006, to file reply briefing to these responses. Since IGWA and Pocatello have benefited from the stay in preparing their response briefs, well over 90 days, it follows that the Coalition's request for an additional 14 days is reasonable under the circumstances. Moreover, due to Coalition's counsels' schedules this week, including a week long trial and an out of state hearing on another case, an extension is necessary and appropriate.

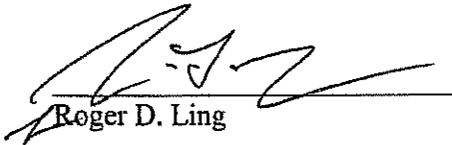
INTENT TO RESPOND TO MOTION / REQUEST FOR STATUS CONFERENCE

The Coalition hereby notifies the Hearing Officer of its intent to respond to Pocatello's *Motion for Extension of Deadlines*. Counsel for TFCC/NSCC and Milner, Travis Thompson,

spoke with Phil Rassier this afternoon and it is the Coalition's understanding that the Hearing Officer will be issuing an order regarding a schedule for responses to Pocatello's motion. The Coalition reserves the right to respond to Pocatello's motion and will do so pursuant to the forthcoming order. In addition, the Coalition requests a status conference on the motion and responses.

DATED this 2nd day of May, 2006.

LING ROBINSON & WALKER



Roger D. Ling

Attorneys for A & B Irrigation District
and Burley Irrigation District

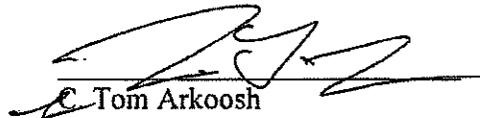
FLETCHER LAW OFFICES



W. Kent Fletcher

Attorneys for Minidoka Irrigation District

ARKOOSH LAW OFFICES CHTD.



Tom Arkoosh

Attorneys for American Falls
Reservoir District #2

BARKER ROSHOLT & SIMPSON LLP



John A. Rosholt
John K. Simpson
Travis L. Thompson

Attorneys for Milner Irrigation District,
North Side Canal Company, and
Twin Falls Canal Company

CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of May, 2006, I served a true and correct copy of the foregoing *Surface Water Coalition's Request for Amended Briefing Schedule / Notice of Intent to Respond to Pocatello's Motion* on the following by the method indicated:

Via Email and U.S. Mail

Director Karl Dreher
Idaho Department of Water Resources
322 E. Front St.
Boise, Idaho 83720-0098
victoria.wigle@idwr.idaho.gov

IDWR – Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, Idaho 83402-1718

IDWR – Southern Region
1341 Fillmore St., Suite 200
Twin Falls, Idaho 83301-3380

Via U.S. Mail

Jeffrey C. Fereday
Michael C. Creamer
Givens Pursley LLP
601 Bannock St., Suite 200
P.O. Box 2720
Boise, Idaho 83701-2720

Kathleen Marion Carr
U.S. Department of Interior
550 West Fort St., MSC-020
Boise, Idaho 83724

James C. Tucker
Idaho Power Company
1221 West Idaho St.
Boise, Idaho 83702

Jo Beeman
Beeman & Assoc.
409 W. Jefferson St.
Boise, Idaho 83702

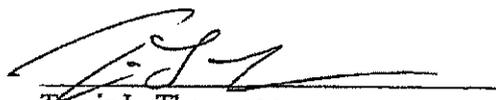
James S. Lochhead
Adam T. DeVoe
Brownstein, Hyatt & Farber P.C.
410 17th St., 22nd Floor
Denver, Colorado 80202

Michael Gilmore
Attorney General's Office
P.O. Box 83720
Boise, Idaho 83720-0010

Scott L. Campbell
Moffatt Thomas Chtd.
101 S. Capitol Blvd., 10th Floor
P.O. Box 829
Boise, Idaho 83701

Sarah Klahn
White & Jankowski
Kittredge Building
511 16th St., Suite 500
Denver, Colorado 80202

Terry Uhling
J.R. Simplot Company
999 Main St.
Boise, Idaho 83702


Travis L. Thompson