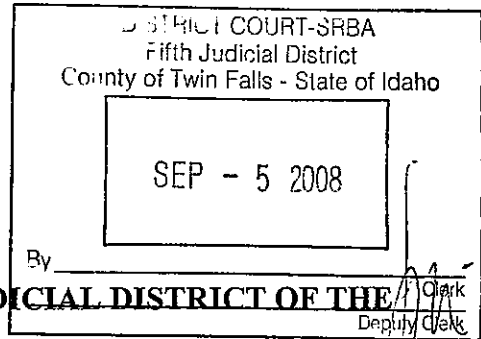




**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA) **Consolidated Subcase 00-92023 (92-23)**
)
Case No. 39576) **SECOND AMENDED SCHEDULING**
) **ORDER SETTING DISCOVERY**
) **DEADLINES AND ON MOTION FOR**
) **SUMMARY JUDGMENT ON ISSUE OF**
) **RECHARGE SUBORDINATION**
)

This matter came before the Court pursuant to scheduling conference held September 4, 2008. Pursuant to stipulation of the parties, the following deadlines are hereby ordered:

Discovery Responses

September 12, 2008: **Deadline for Idaho Power Co. to serve supplemental discovery responses on issue of recharge.**

November 10, 2008: **Deadline for Idaho Power Co. to produce documents to State. Discovery completed.**

Cross-Motions for Summary Judgment

October 17, 2008: **Deadline to file and serve cross-motions for summary judgment and/or opening briefs.**

November 7, 2008: **Deadline to file response briefs.**

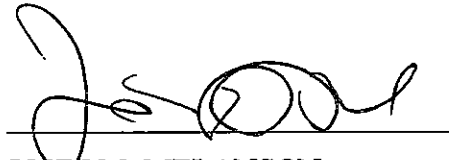
November 21, 2008: **Deadline to file reply briefs.**

SECOND AMENDED SCHEDULING ORDER SETTING DISCOVERY DEADLINES AND ON MOTION FOR SUMMARY JUDGMENT ON ISSUE OF RECHARGE SUBORDINATION

December 4, 2008:

Hearing on Cross-Motions for Summary Judgment. 1:30 p.m. at the SRBA Courthouse, 235 – 3rd Avenue North, Twin Falls, Idaho. Telephone participation will be allowed by calling 1-918-583-3445 and entering participant code 406128 when prompted.

Dated September 5, 2008.

A handwritten signature in black ink, appearing to read 'J. Melanson', written over a horizontal line.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I hereby certify that true and correct copies of the **SECOND AMENDED SCHEDULING ORDER SETTING DISCOVERY DEADLINES AND ON MOTION FOR SUMMARY JUDGMENT ON ISSUE OF RECHARGE SUBORDINATION** were mailed on September 5, 2008, by first-class mail to the following:

Director of IDWR
PO Box 83720
Boise, ID 83720-0098

State of Idaho
Represented by:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise, ID 83711-4449

Idaho Power Company
Represented by:
James C. Tucker
PO Box 70
Boise, ID 83707

Idaho Power Company
Represented by:
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Adam T. DeVoe
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Water District, *et al.*
Represented by:
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Candice McHugh
101 S Capitol Blvd. Ste. 208
Boise, ID 83702

City of Pocatello
Gary & Helen DeMoss
Represented by:
Josephine P. Beeman
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Freemont-Madison Irr. Dist, *et al.*
Represented by:
Jerry R. Rigby
PO Box 250
Rexburg, ID 83440-0250


Julie Murphy
Deputy Clerk