

RECEIVED

JAN 28 2009

DEPARTMENT OF
WATER RESOURCES

LAWRENCE G. WASDEN
Attorney General

CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division

DAVID I. STANISH (ISB #7310)
Deputy Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
Telephone: (208) 334-2400
Facsimile: (208) 854-8072

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	)	Subcase Nos. 01-02064, 01-10485, 01-
	)	10486, and 01-10487
Case No. 39576	)	
	)	STIPULATION TO VACATE
	)	HEARINGS ON IDAHO POWER
	)	COMPANY'S MOTION FOR
	)	PROTECTIVE ORDER AND STATE
	)	OF IDAHO'S MOTION TO COMPEL
	)	
	)	

The Idaho Power Company and the State of Idaho, by and through their respective attorneys, hereby stipulate and agree as follows:

1. On November 19, 2008, the State served its first set of discovery requests upon the Idaho Power Company in subcase nos. 01-10485, 01-10486, and 01-10487;

2. On December 22, 2008, the Idaho Power Company filed a motion for a protective order concerning the State's November 19, 2008 discovery requests;

STIPULATION TO VACATE HEARINGS ON IDAHO POWER
COMPANY'S MOTION FOR PROTECTIVE ORDER AND
STATE OF IDAHO'S MOTION TO COMPEL

Page - 1

3. On January 9, 2009, the State filed a motion to compel, seeking to compel the Idaho Power Company to respond to the State's November 19, 2008 discovery requests;

4. The Idaho Power Company's motion for protective order is set for hearing on January 29, 2009. The State has filed a motion for expedited hearing on its motion to compel, which is also set to be heard on January 29, 2009;

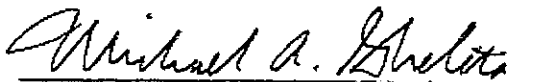
5. The Idaho Power Company and the State hereby stipulate and agree to vacate the January 29, 2009 hearings on the motion for protective order and the motion for expedited hearing on motion to compel until further notice;

6. The Idaho Power Company and the State hereby stipulate and agree to meet within thirty (30) days from the date of this *Stipulation* to discuss next steps regarding discovery in the above-captioned subcases; and

7. The Idaho Power Company and the State hereby stipulate and agree that this *Stipulation* is not intended to vacate, address, or otherwise affect the State's *Motion to Amend Objection* in subcase no. 01-02064, which shall be heard on January 29, 2009.

IDAHO POWER COMPANY

James C. Tucker, Esq.
Senior Attorney, Idaho Power Company
1221 West Idaho Street
Boise, ID 83702-5627

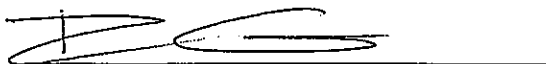


James S. Lochhead, Esq.
Michael A. Gheleta, Esq.
Brownstein Hyatt Farber Schreck, P.C.
410 17th Street, Twenty-Second Floor
Denver, CO 80202

Dated January 26, 2009

LAWRENCE G. WASDEN
Attorney General

CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division



DAVID I. STANISH
Deputy Attorney General

Dated 1/27/2009

CERTIFICATE OF SERVICE

I certify that on this 27th day of January, 2009, I caused to be served the original and copies of the **STIPULATION TO VACATE HEARINGS ON IDAHO POWER COMPANY'S MOTION FOR PROTECTIVE ORDER AND STATE OF IDAHO'S MOTION TO COMPEL** on the following persons by the methods indicated:

1. Original to:

CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
PO BOX 2707
TWIN FALLS, ID 83303-2707

- ☐ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☒ Facsimile: (208) 736-2121
☐ Statehouse Mail

2. Copies to:

MILNER IRRIGATION DIST
NORTH SIDE CANAL COMPANY
TWIN FALLS CANAL COMPANY
Represented by:
BARKER, ROSHOLT & SIMPSON LLP
113 MAIN AVE W, STE 303
PO BOX 485
TWIN FALLS, ID 83303-0485

- ☒ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☐ Facsimile: (208) 736-2121
☐ Statehouse Mail

AMERICAN FALLS RESERVOIR
Represented by:
C THOMAS ARKOOSH
301 MAIN ST
PO BOX 32
GOODING, ID 83330

- ☒ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☐ Facsimile:
☐ Statehouse Mail

IDAHO POWER COMPANY
Represented by:
JAMES C TUCKER
IDAHO POWER CO
PO BOX 70
BOISE, ID 83707

- ☒ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☐ Facsimile:
☐ Statehouse Mail

IDAHO POWER COMPANY
Represented by:
MICHAEL A GHELETA
BROWNSTEIN HYATT ET AL
410 17TH STREET, SUITE 2200
DENVER, CO 80202

- ☒ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☐ Facsimile:
☐ Statehouse Mail

ABERDEEN AMERICAN FALLS GWD
BINGHAM GWD
BONNEVILLE JEFFERSON GWD
CAREY VALLEY GWD
IGWA INC
JEFFERSON CLARK GWD
MADISON GWD
MAGIC VALLEY GWD
NORTH SNAKE GWD

Represented by:
RANDALL C BUDGE
201 E CENTER, STE A2
PO BOX 1391
POCATELLO, ID 83204-1391

- ☒ U.S. Mail, postage prepaid
- ☐ Hand Delivery
- ☐ Federal Express
- ☐ Facsimile:
- ☐ Statehouse Mail

A&B IRRIGATION DISTRICT
BURLEY IRRIGATION DISTRICT
FALLS IRRIGATION DISTRICT

Represented by:
ROGER D LING
615 H ST
PO BOX 396
RUPERT, ID 83350-0396

- ☒ U.S. Mail, postage prepaid
- ☐ Hand Delivery
- ☐ Federal Express
- ☐ Facsimile:
- ☐ Statehouse Mail

MINIDOKA IRRIGATION DISTRICT

Represented by:
W KENT FLETCHER
1200 OVERLAND AVE
PO BOX 248
BURLEY, ID 83318
Phone: 208-678-3250

- ☒ U.S. Mail, postage prepaid
- ☐ Hand Delivery
- ☐ Federal Express
- ☐ Facsimile:
- ☐ Statehouse Mail

USDI BUREAU OF RECLAMATION

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

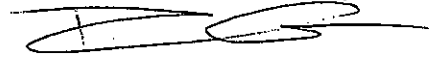
- ☒ U.S. Mail, postage prepaid
- ☐ Hand Delivery
- ☐ Federal Express
- ☐ Facsimile: _____
- ☐ Statehouse Mail

UNITED STATES OF AMERICA
REGIONAL DIRECTOR PN REGION
BUREAU OF RECLAMATION PN-3100
1150 N CURTIS RD STE 100
BOISE, ID 83706-1234

- ☒ U.S. Mail, postage prepaid
- ☐ Hand Delivery
- ☐ Federal Express
- ☐ Facsimile: _____
- ☐ Statehouse Mail

IDWR DOCUMENT DEPOSITORY
PO BOX 83720
BOISE, ID 83720-0098

- ☐ U.S. Mail, postage prepaid
- ☐ Hand Delivery
- ☐ Federal Express
- ☐ Facsimile: _____
- ☒ Statehouse Mail



DAVID I. STANISH