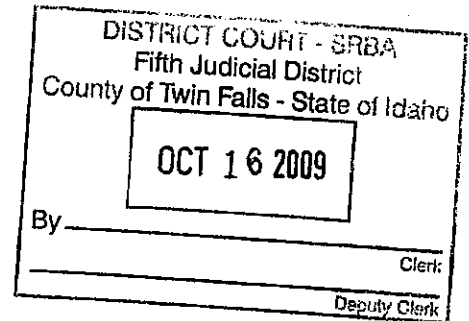




**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA	)	Subcases:
	)	01-217, 01-218, 01-4024 & 01-4025
	)	[Minidoka Power Rights]
	)	and
	)	01-2068 & 01-4054
	)	[Palisades Power Rights]
Case No. 39576	)	(USDI / BUREC)
	)	
	)	ORDER GRANTING MOTION TO AMEND
	)	DEPOSITION SCHEDULE

On October 15, 2009, the State of Idaho fax-filed its *Motion to Amend Deposition Schedule*, along with a *Motion for Expedited Hearing, Notice of Hearing* and *Memorandum in Support*. The State sought to rearrange the order of depositions scheduled for October 22, 23 and 27, 2009, because of the unavailability of several deponents on the dates and times set. The State wrote that swapping the depositions of State representatives "would not alter the times or dates contemplated for the depositions, it would only change the order of the depositions . . . [and] the SWC [Surface Water Coalition] will not be unduly prejudiced by the schedule change."

An expedited hearing was held by telephone on October 16, 2009. David I. Stanish appeared for the State; Josephine P. Beeman appeared for the City of Pocatello; and Garrick L. Baxter appeared for IDWR. No one appeared for the Surface Water Coalition¹ or any other parties.

¹ The Surface Water Coalition is often described as including: American Falls Reservoir, Milner Irrigation District, North Side Canal Company, Minidoka Irrigation District, Burley Irrigation District, Twin Falls Canal Company, Falls Irrigation District and A&B Irrigation District represented by four different firms. C. Tom Arkoosh, counsel for American Falls Reservoir, e-mailed the SRBA Court and all the parties on October 15, 2009, 4:46 p.m., to say: "I have informed the Court that none of us are available to participate at 9 tomorrow."

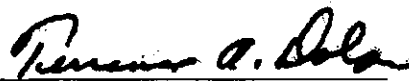
THEREFORE, IT IS ORDERED that:

1. The State's *Motion to Amend Deposition Schedule* is **granted**. The depositions shall take place as follows:

October 22, 2009, 9:00 a.m. Thursday	State of Idaho, represented by former IDWR Director David R. Tuthill
October 22, 2009, 1:30 p.m. Thursday	Lyle Swank, Water Master, District 1
October 23, 2009, 9:00 a.m. Friday	Gary Spackman, Interim IDWR Director
October 27, 2009, 9:00 a.m. Tuesday	USDI / BUREC (Rich Rigby?)

2. Counsel for the State shall e-mail copies of this *Order* to all the parties.

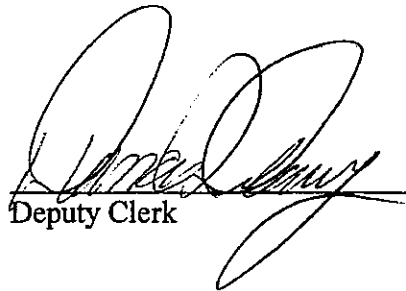
DATED October 16, 2009.


TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the ***ORDER GRANTING MOTION TO AMEND DEPOSITION SCHEDULE*** was sent on October 16, 2009, by e-mail to:

David Stanish
Deputy Attorney General
Stanish, David [david.stanish@ag.idaho.gov]


Deputy Clerk