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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho
FEB - 8 2010
By _____ Clerk
_____ Deputy Clerk

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 01-2064 (USDI/BOR) and 01-10485,
	)	01-10486 and 01-10487 (Idaho Power Co.)
	)	"American Falls Hydropower Storage"
	)	
Case No. 39576	)	ORDER GRANTING MOTIONS 1) FOR
	)	EXTENSION, 2) TO WITHDRAW CLAIMS
	)	AND 3) AMEND OBJECTION
	)	and
	)	SUMMARY JUDGMENT SCHEDULING
	)	ORDER

On January 21, 2010, Idaho Power Company filed its *Motion for Extension and Request for Status Conference* in the above four subcases requesting an extension of time to respond to three pending summary judgment motions. The same date, it filed its *Motion to Amend Objection and to Withdraw Claims* seeking to amend its *Objection* in subcase 01-2064 and withdraw its claims in subcases 01-10485, 01-10486 and 01-10487.

A hearing on the *Motions* was held on February 4, 2010. James C. Tucker appeared for Idaho Power; David W. Gehlert appeared for the United States of America, Department of Interior, Bureau of Reclamation; Clive J. Strong and David I. Stanish appeared for the State of Idaho; Jerry R. Rigby appeared for the American Falls Spaceholders; Candice M. McHugh appeared for the Idaho Ground Water Appropriators; and Garrick L. Baxter appeared for IDWR. No one opposed the *Motions* and the parties agreed on a summary judgment schedule.

THEREFORE, IT IS ORDERED that:

1. Idaho Power's *Motion for Extension* is **granted**;

2. Its *Motion to Withdraw Claims* in subcases 01-10485, 01-10486 and 01-10487 is **granted** and the claims are hereby **dismissed with prejudice**;
3. Its *Motion to Amend its Objection* in subcase 01-2064 is **granted**; and
4. The following summary judgment schedule on Idaho Power's amended *Objection* in subcase 01-2064 shall apply:

Wednesday, May 12, 2010 Discovery cut-off; all discovery shall be completed.

Wednesday, June 9, 2010 Deadline to file motions for summary judgment.

Friday, July 9, 2010 **Deadline to file responses.**

Friday, July 30, 2010 Deadline to file replies.

Tuesday, August 10, 2010
1:30 p.m.

Hearing on motions for summary judgment:
SRBA Courthouse
253 3rd Avenue N.
Twin Falls, Idaho.

DATED February 8, 2010.

Perren A. Dolan

TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTIONS FOR EXTENSION, TO WITHDRAW CLAIMS, AMEND OBJECTIONS; SUMMARY JUDGMENT SCHEDULING ORDER was mailed on February 08, 2010, with sufficient first-class postage to the following:

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STATE OF IDAHO

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ORDER

ABERDEEN AMERICAN FALLS

AMERICAN FALLS SPACEHOLDERS
BINGHAM GROUND WATER DISTRICT
BONNEVILLE JEFFERSON GROUND
CAREY VALLEY GROUND WATER DIST
IGWA INC
JEFFERSON CLARK GROUND WATER
MADISON GROUND WATER DISTRICT
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USDI BUREAU OF RECLAMATION**

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(Certificate of mailing continued)

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ORDER

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