



STATE OF IDAHO, OFFICE OF THE ATTORNEY GENERAL
700 W. Jefferson Street, Rm. 210
P.O. Box 83720
Boise, Idaho 83720-0010

Phone: (208) 334-2400
Natural Resources Division FAX: (208) 334-2690

Transmittal Cover

To:

Name	Fax:
JAMES CEFALO	208 525-7177

From: **Shasta Kilminster**

Date: April 5, 2011

Re: Permit No. 37-07842

Pages: 5 (including this page)

***Please advise of any deficiency in this transmission. Call
Olga Valdivia at (208) 334-4159***

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JOSEPH F. JAMES
BROWN & JAMES
130 Fourth Avenue West
Gooding, Idaho 83330
Telephone: (208) 934-8185
Facsimile: (208) 934-4101
Idaho State Bar No. 5771

Attorneys For Petitioners

BEFORE THE DEPARTMENT OF WATER RESOURCE
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.) STIPULATION
37-07842 IN THE NAME OF THE)
IDAHO WATER RESOURCES)
BOARD)
_____)

COME NOW, Petitioners, by and through their attorney of record, Joseph F. James, of Brown & James, and Respondent, by and through its attorney of record, Shasta Kilminster-Hadley, Deputy Attorney General, and hereby stipulate and agree to the entry of the hearing officer's order authorizing the parties to engage in discovery as follows:

1. That the parties shall be authorized to engage in discovery. The parties shall complete discovery by May 2, 2011. Discovery shall be conducted pursuant to IDAPA Rules 37.01.01520-532 (Rules of Procedure 520-532). The parties shall answer or otherwise respond to discovery in accordance with the Department's Rules of Procedure and the Idaho Rules of Civil Procedure, as appropriate. In accordance with Rule 520, the scope of discovery shall be governed by Rule 26(d) of the Idaho Rules of Civil Procedure.

STIPULATION

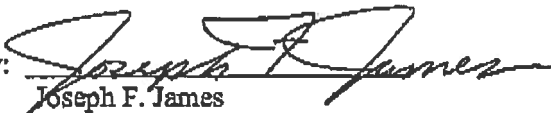
-1

2. That on or before, May 20, 2011, the parties shall make a final exchange of witness lists, documents and proposed exhibits to be offered at the hearing. Pursuant to IDAPA Rule of Procedure 37.01.01606, the parties shall provide a copy of each exhibit to each party and the hearing officer.

3. That these parties request that the matter be set for hearing on May 26, 2011.

DATED this 29th day of March, 2011.

BROWN & JAMES

By: 
Joseph F. James

DATED this 4th ^{April} day of ~~March~~, 2011.

OFFICE OF ATTORNEY GENERAL
NATURAL RESOURCE DIVISION

By: 
Shasta Kilminster-Hadley

BEFORE THE DEPARTMENT OF WATER RESOURCE
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.)
37-07842 IN THE NAME OF THE) ORDER ALLOWING DISCOVERY
IDAHO WATER RESOURCES)
BOARD)
_____)

Pursuant to the stipulation of the parties in the above captioned matter, and good cause appearing therefore;

IT IS HEREBY ORDERED, as follows:

1. That the parties are authorized to engage in discovery. The parties shall complete discovery by May 2, 2011. Discovery shall be conducted pursuant to IDAPA Rules 37.01.01520-532 (Rules of Procedure 520-532). The parties are directed to answer or otherwise respond to discovery in accordance with the Department's Rules of Procedure and the Idaho Rules of Civil Procedure, as appropriate. In accordance with Rule 520, the scope of discovery shall be governed by Rule 26(d) of the Idaho Rules of Civil Procedure.

2. That on or before, May 20, 2011, the parties shall make a final exchange of witness lists, documents and proposed exhibits to be offered at the hearing. Pursuant to IDAPA Rule of Procedure 37.01.01606, the parties shall provide a copy of each exhibit to each party and the hearing officer.

DATED this ____ day of _____, 2011.

James Cefalo
Water Resources Program Manager

ORDER ALLOWING DISCOVERY

CERTIFICATE OF SERVICE

I hereby certify that on the _____ day of _____, 2011, I served a true and correct copy of the foregoing document upon the following persons in the manner indicated:

Shasta Kilminster-Hadley
Deputy Attorney General
P.O. Box 83720
Boise, ID 83720-0010

____ United States Mail, Postage Prepaid
____ Express overnight delivery
____ Hand delivered
____ Via facsimile transmission

Joseph F. James
Brown & James
130 Fourth Avenue West
Gooding, ID 83330

____ United States Mail, Postage Prepaid
____ Express overnight delivery
____ Hand delivered
____ Via facsimile transmission

Garrick Baxter
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0010

____ United States Mail, Postage Prepaid
____ Express overnight delivery
____ Hand delivered
____ Via facsimile transmission