

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR TRANSFER NO. 76779 IN THE)
NAME OF CITY OF POCA TELLO)

**ORDER AUTHORIZING
DISCOVERY AND NOTICE OF
STATUS CONFERENCE**

On November 2, 2010, the City of Pocatello filed Application for Transfer No. 76779 with the Department. The application was advertised to the public and was protested by McCammon Ditch Company represented by Jim Spinner, John Schwarz, Symons Farm & Ranch, Portneuf Water Users Association, Inc. represented by Scott Campbell, and A&B Irrigation District, Burley Irrigation District, Milner Irrigation District, North Side Canal Company and Twin Falls Canal Company represented by Travis Thompson.

On February 3, 2011 a pre-hearing conference was held in Pocatello. All parties or their representatives were present. The parties asked the Department to authorize discovery in this matter.

ORDER AUTHORIZING DISCOVERY

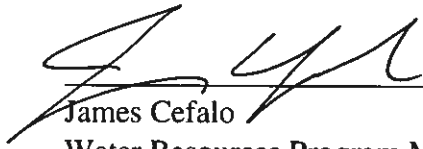
IT IS HEREBY ORDERED that the parties may engage in discovery as follows:

1. General discovery will begin immediately.
2. Written requests for discovery must be interrogatories or requests for documents. Requests for admission are not allowed. No more than fifteen (15) interrogatories may be served by any party (or the attorney for several parties) on another party. Division of a single interrogatory into multiple sub-questions is not permissible. All written discovery requests shall be served on or before April 30, 2011.
3. Answers to written discovery must be served on the requesting party within fourteen (14) days of service of the request. All responses to discovery shall be served on or before May 15, 2011.
4. Disclosure of expert reports, exhibits, and witnesses and the deposition of experts will be discussed at the April 1, 2011 status conference and will be addressed in a future order.

NOTICE OF STATUS CONFERENCE

A status conference has been scheduled for April 1, 2011 at 1:00 pm. Parties should participate by telephone. The call-in number is 1-888-706-6468 and the code is 265275. During the status conference we will discuss any discovery issues and will set the pre-hearing deadlines and document exchange dates. A hearing has been scheduled in this matter for July 25-29, 2011 and will be held in Pocatello. An official notice of hearing will be sent following the April 1st status conference.

Dated this 8th of February, 2011


James Cefalo
Water Resources Program Manager

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of February, 2011, a true and correct copy of the **Order Authorizing Discovery and Notice of Status Conference** was served by placing a copy of the same with the United States Postal Service, postage prepaid and properly addressed to the following:

Moffatt Thomas Barrett Rock & Field Chtd
C/O Scott Campbell
PO Box 829
Boise ID 83701-0829

Symons Farm and Ranch
PO Box 604
Lava Hot Springs ID 83246

John Schwarz
Box 240
McCammon ID 83250

Portneuf Watershed Users Association Inc
8742 S Sunnyside Rd
Lava Hot Springs ID 83246

James Spinner
PO Box 6009
Pocatello ID 83205-6009

Barker Rosholt & Simpson
Travis Thompson
PO Box 485
Twin Falls ID 83303-0485

Givens Pursley
Michael Creamer
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Racine Olson Nye Budge & Bailey
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Sharla Cox
Administrative Assistant