

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

**IN THE MATTER OF APPLICATION FOR
PERMIT TO APPROPRIATE WATER NO.
74-15613 IN THE NAME OF
OF JAMES WHITTAKER**

**ORDER AUTHORIZING
DISCOVERY**

The Idaho Department of Fish & Game, represented by David Barber, deputy attorney general, filed a motion for an order authorizing discovery.

ORDER

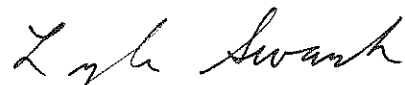
IT IS HEREBY ORDERED that the parties may engage in discovery as follows:

1. General discovery can begin on November 13, 2006.
2. On or before November 27, 2006, each party must disclose to all other parties, in writing, the identity of all expert witnesses that will or may testify at the hearing.
3. All written discovery requests shall be served on or before December 18, 2006.
4. Written requests for discovery must be either interrogatories or requests for documents. (Requests for admission are not allowed). No more than 10 interrogatories, may be served by any party (or the attorney for several parties) on another party, and no more than 10 unanswered interrogatories served by any party (or the attorney for several parties) may be pending. Each question posed will be considered as one interrogatory.
5. All discovery shall be complete on or before January 8, 2007.

IT IS FURTHER ORDERED that, on or before January 19, 2007, each party shall serve on all other parties copies of exhibits that may be offered at the hearing and a list of the witnesses that will be called at the hearing.

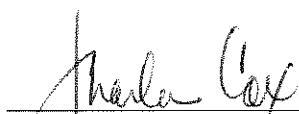
IT IS FURTHER ORDERED that a notice of hearing for the hearing scheduled for February 6 – 7, 2007 will be served on the parties approximately 60 days prior to the hearing.

Dated this 16th day of October, 2006.



Lyle Swank
Eastern Regional Manager

I hereby certify that on the 16th day of October 2006, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed below:



SHARLA COX
Administrative Assistant

CERTIFIED MAIL

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