

BROWN & JAMES

ATTORNEYS AT LAW
130 West Fourth Avenue
GOODING, IDAHO 83330

Philip A. Brown
Joseph F. James

Telephone: (208) 934-8185
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TRANSMITTAL MEMORANDUM

DATE: August 11, 2005

TO: Allen D. Merritt, P.E.
Regional Manager
Department of Water Resources
1341 Fillmore St.
Suite 200
Twin Falls, ID 83301

FROM: BROWN & JAMES

RE: Application for Permit No. 37-21278

ENCLOSED PLEASE FIND:

A Stipulation to Modify Deadline and Proposed Order for your consideration.

PLEASE TAKE TO FOLLOWING ACTION:

Please file the original documents and return the conformed copies via facsimile to (208) 934-4101.

Thank You,

By



Secretary, Brown & James

BEFORE THE DEPARTMENT OF WATER RESOURCE
OF THE STATE OF IDAHO

IN THE MATTER OF PROTESTED
APPLICATION FOR PERMIT
NO. 37-21278 in the name of
MOUNTAIN VIEW WATER CORP.
Application

CLEAR SPRINGS FOODS,
Protestant

SECOND AMENDED PRE-HEARING
ORDER

On June 22, 2005, the Department of Water Resources (Department) issued a "Notice of Hearing Officer and Pre-hearing Order".

Pursuant to a stipulation of the parties, the Department issued an Amended Pre-hearing Order on July 29, 2005.

On July 29, 2005, the Department received a second "Stipulation to Modify Deadline" from both parties.

In conformance to the stipulation the Department amends the deadlines previously set.

SECOND AMENDED PRE-HEARING ORDER

IT IS THEREFORE, HEREBY ORDERED as follows:

1. All responses to the dispositive motions, if any, shall be filed with the hearing officer on or before August 19, 2005, with copies to be sent to the other party.

Dated this 11th day of August, 2005.



Allen Merritt
Pre-hearing Officer
Southern Regional Manager

CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of August, 2005, I served a true and correct copy of the foregoing document upon the following persons in the manner indicated:

Joseph F. James
Brown & James
130 Fourth Ave West
Gooding, ID 83330
Fax (208) 934-4101

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

Travis L. Thompson
Barker Rosholt & Simpson, LLP
113 Main Ave. West
Suite 303
P.O. Box 485
Twin Falls, ID 83301-6167
Fax (208) 735-2444

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

Gary Spackman, Hearing Officer
IDWR
322 E. Front St.
P.O. Box 83720
Boise, ID 83720-0098
(208) 287-6700

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

Mary Baldwin

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 Mountain View Water Crop.

BEFORE THE DEPARTMENT OF WATER RESOURCE
 OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION	)	
FOR PERMIT NO. 37-21278	)	STIPULATION TO MODIFY
in the name of MOUNTAIN VIEW	)	DEADLINE
WATER CORPORATION	)	
_____	)	

MOUNTAIN VIEW WATER CORP., by and through its attorneys of record, BROWN & JAMES, and CLEAR SPRINGS FOOD, INC., by and through its attorneys of record, BARKER ROSHOLT & SIMPSON, LLP, hereby file this *Stipulation to Modify Deadlines for Dispositive Motions/Responses* in the above-titled matter.

Counsel for Applicant and Protestant have discussed the deadline previously set by the July 29, 2005 *Amended Pre-Hearing Order* and have agreed to modify the deadline in which Applicant may file a response to Protestant's Motion to Dismiss Application for Permit/Supporting Legal Memorandum.

1. Applicant's response to Protestant's Motion to Dismiss Application for Permit/Supporting Legal Memorandum, if any, shall be filed with the hearing officer on or before

STIPULATION TO MODIFY
 DEADLINE

August 19, 2005, with copies to be sent to the other party.

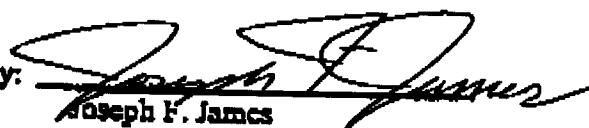
The parties respectfully request the Hearing Officer to enter an amended pre-hearing order with the modified deadline set forth above.

Dated this 10th day of August, 2005.

BROWN & JAMES

BARKER ROSHOLT & SIMPSON LLP

By:


Joseph F. James

By:


Travis L. Thompson

Attorneys for Mountain View Water Corp.

Attorneys for Clear Springs Foods, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on the 11 day of August, 2005, I served a true and correct copy of the foregoing document upon the following persons in the manner indicated:

Gary Spackman, Hearing Officer
IDWR
322 E. Front St.
P.O. Box 83720
Boise, ID 83720-0098
Fax (208) 287-6700

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DEADLINE