

FILED

2008 APR 11 PM 12:03

EX DEPUTY CLERK  
SUPERIOR COURT  
YAKIMA, WASHINGTON

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30

THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF YAKIMA

IN THE MATTER OF THE )  
DETERMINATION OF THE )  
RIGHTS TO THE USE OF THE )  
SURFACE WATERS OF THE )  
YAKIMA DRAINAGE BASIN, IN )  
ACCORDANCE WITH THE )  
PROVISION OF CHAPTER 90.03 )  
REVISED CODE OF )  
WASHINGTON, )

No. 77-2- 01484-5

**ORDER MODIFYING  
SCHEDULING ORDER**

THE STATE OF WASHINGTON, )  
DEPARTMENT OF ECOLOGY, )  
Plaintiff, )

v. )

JAMES J. ACQUAVELLA, et al., )  
Defendants. )

This matter came before the Court on the motion of Ahtanum Irrigation District for an order to modify the Court's Scheduling Order contained in the Notice of Entry Conditional Final Order, Subbasin 23.

The Court heard the oral argument of counsel for Ahtanum Irrigation District, and counsel for other interested parties. The Court considered the pleadings filed in this action and the following evidence:

20,531

1. Declaration of counsel for Ahtanum Irrigation District in support of their motion to modify the Scheduling Order.

1 Based on the argument of counsel and the evidence presented, the Court finds that  
2 good cause has been shown for modification of the Court's Scheduling Order to allow  
3 additional time for the preparation of objections.

4 Based on the above findings, **It Is Ordered:**

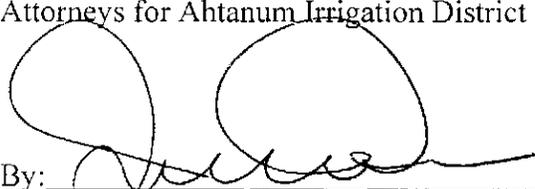
- 5 1. Plaintiffs' motion is granted.
- 6 2. The Court's Scheduling Order, contained in the Notice of Entry Conditional Final  
7 Order, Subbasin 23, will be modified to allow additional time to file objections, as  
8 follows:  
9

- 10 a. Objections/comments to the proposed CFO or information requested by the  
11 Court in the Supplemental Report of the Court, dated February 25, 2008,  
12 must be filed by June <sup>23</sup> 8, 2008.
- 13 b. Responses must be filed by July <sup>25</sup> 7, 2008.
- 14 c. Rebuttal must be filed by <sup>Aug 15</sup> July 21, 2008.

15  
16  
17 DONE IN OPEN COURT this 11 day of April, 2008.

18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
  
JUDGE

Presented by:  
TALBOTT, SIMPSON & DAVIS, PS  
Attorneys for Ahtanum Irrigation District

  
By: \_\_\_\_\_  
JAMES E. DAVIS, #5089