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JAN 23 2007

DEPARTMENT OF
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**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA	)	Subcase Nos. 29-00271, et al. (see attached Exhibit A)
	)	
	)	
Case No. 39576	)	POCATELLO'S SRBA CLAIMS SUBJECT TO
	)	I.C. § 42-1425 REMAND PER AUGUST 18, 2006
	)	ORDER ON SUMMARY JUDGMENT

The City of Pocatello's SRBA claims listed below are subject to remand to the Idaho Department of Water Resources (IDWR), pursuant to Special Master Bilyeu's August 18, 2006 Order on Summary Judgment:

1. 22 ground water right claims associated with the City of Pocatello's interconnected system of wells that deliver culinary water: 29-2274, 29-2338, 29-2401, 29-2499, 29-4221, 29-4223, 29-4224, 29-4225, 29-4226, 29-7106, 29-7322, 29-7375, 29-7782, 29-11339, 29-11348, 29-13558, 29-13559, 29-13560, 29-13561, 29-13562, 29-13637, and 29-13639.

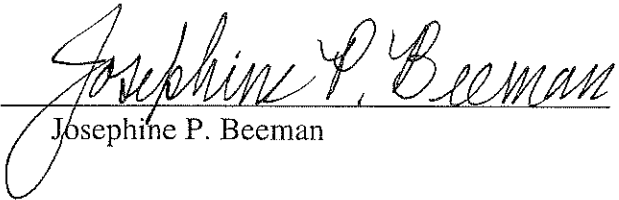
Pocatello claims 23 points of diversion for each of these 22 ground water right claims: Pocatello

Wells No. 2, 3, 7, 10, 12, 13, 14, 15, 16, 18, 21, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, and 44.¹ There were 9 additional points of diversion, not claimed by Pocatello, which IDWR recommended for the interconnected culinary system: Alameda Wells No. 1, 2, 6, and 7, and Pocatello Wells No. 1, 4, 6, 8, and 9.²

2. 2 ground water right claims associated with interconnected airport wells: 29-7450 and 29-13638. Stipulations signed by the parties and IDWR confirm that Pocatello Wells No. 35 and 39 are the points of diversion for these 2 claims.³

Respectfully submitted this 19th day of January 2007.

BEEMAN & ASSOCIATES, P.C.
Attorneys for the City of Pocatello

By 
Josephine P. Beeman

¹ See Table 2, Spronk Water Engineers, Inc. Expert Report Dated September 29, 2006 Prepared for the City of Pocatello.

² See Table 3, Spronk Water Engineers, Inc. Expert Report Dated September 29, 2006 Prepared for the City of Pocatello.

³ See also Table 2, Spronk Water Engineers, Inc. Expert Report Dated September 29, 2006 Prepared for the City of Pocatello.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 19th day of January 2007, I caused a copy of the foregoing document to be served by U.S. First Class Mail on:

UNITED STATES OF AMERICA

REPRESENTED BY:

US DEPARTMENT OF JUSTICE
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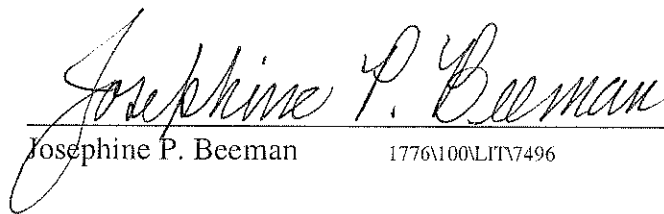

Josephine P. Beeman 1776\100\LITV7496

EXHIBIT A

Subcase Numbers

29-00271
29-00272
29-00273
29-02274
29-02338
29-02354
29-02382
29-02401
29-02499
29-04221
29-04222
29-04223
29-04224
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29-07118
29-07119
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29-07322
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