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DEPARTMENT OF
WATER RESOURCES

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DISTRICT COURT-SRCA
TWIN FALLS CO., IDAHO
FILED

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	)	Subcases 01-209, 01-211A, 01-211B, 01-212,
	)	01-213, 01-214A, 01-214B and 01-219
Case No. 39576	)	"Minidoka Credit Remark"
	)	
	)	ORDER GRANTING CITY OF
	)	POCATELLO'S MOTION TO
	)	AMEND OBJECTIONS

On December 13, 2007, the City of Pocatello filed its *Motion to Amend Objection* in the above 8 subcases concerning the issue informally termed "Minidoka credit remark." The City sought "to broaden its objection to include factual issues not previously raised, but properly within the scope of the Court's determinations in this case. . . and [to provide] notice of the entire range of issues it intends to pursue in these cases." In its amended *Objection* attached to the *Motion*, it objects to quantity and place of use whereas before it objected to source and quantity.

Various irrigation districts and canal companies, called the "Coalition,"¹ filed their *Joint Response to City of Pocatello's Motion to Amend Objections* on April 22, 2008.² They argued that the City's *Motion* should be denied because it was not filed timely, it violates the City's promise to limit its participation to issues raised by other parties and it will prejudice the other parties because "existing objections to the water rights will be greatly expanded."

¹ The Coalition consists of: American Falls Reservoir District #2, A&B Irrigation District, Burley Irrigation District, Milner Irrigation District, Minidoka Irrigation District, North Side Canal Company and Twin Falls Canal Company.

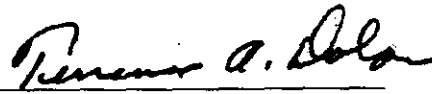
² The Coalition filed their *Joint Response* in 21 subcases, including only 2 (01-212 and 01-213) of the above 8 subcases.

A hearing on the City's *Motion* was held on April 29, 2008, at the Bonneville County Courthouse in Idaho Falls, Idaho. Sarah A. Klahn appeared for the City and Travis L. Thompson appeared for the Coalition.

During the hearing and on the record, the Special Master granted the City's *Motion* because of the relatively early stage of proceedings (initial hearings in the Basin were held the same date) and the concern for complete development of the contested issues. This ***Order*** is entered for the purpose of clarifying the record.

THEREFORE, IT IS ORDERED that the City of Pocatello's *Motion to Amend Objection* filed in each of the above 8 subcases is **granted**.

DATED May 21, 2008.

A handwritten signature in black ink, reading "Terrence A. Dolan". The signature is written in a cursive, flowing style.

TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING CITY OF POCATELLO'S MOTION TO AMEND OBJECTIONS was mailed on May 21, 2008, with sufficient first-class postage to the following:

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ORDER GRANTING MOTION TO AMEND OBJECTIONS

(Certificate of mailing continued)

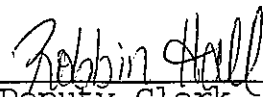
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