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DEPARTMENT OF
WATER RESOURCES

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Attorneys for City of Pocatello

**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. 29-271 et al. (see Attachment A)
	)	
Case No. 39576	)	CITY OF POCATELLO'S MOTION FOR
	)	EXTENSION OF TIME TO FILE
	)	CHALLENGER'S OPENING BRIEF AND
	)	AMENDMENT OF CHALLENGE
		SCHEDULING ORDER

The City of Pocatello (City or Pocatello), by and through its counsel of record, Beeman & Associates, P.C., respectfully moves the Court to extend the deadlines set out in the December 18, 2008 Challenge Scheduling Order for the filing of briefs and oral argument in the above captioned matter. Pocatello requests an extension until June 3, 2009 for the filing of its Opening Brief on Challenge, and that the time for filing reply briefs and oral argument be established in accordance with Administrative Order 1, section 13(e). Pocatello proposes the following schedule:

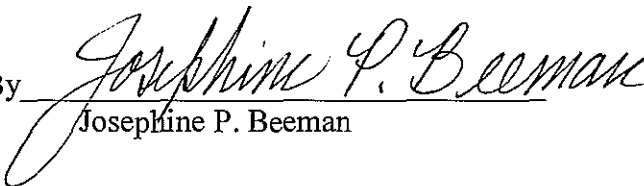
	Current Schedule	Proposed New Schedule
Challenger's Opening Brief	April 22, 2009	June 3, 2009
Respondent's Responsive Brief	May 6, 2009	June 17, 2009
Challenger's Rebuttal Brief	May 20, 2009	July 1, 2009
Oral Argument	June 18, 2009	August 6, 2009 (approximate) (to be scheduled by the court)

Counsel for Pocatello affirms that counsel for IDWR (Garrick Baxter) and counsel for United Water Idaho, City of Nampa, and City of Blackfoot (Christopher Meyer) have no objection to this motion, although, due to the constraints discussed in the accompanying affidavit, Pocatello has not been able to discuss the exact dates listed above. Pocatello would expect to work with all counsel to provide a stipulated schedule early next week. The State of Idaho (David Barber) has indicated it is generally not opposed to motions for extension but requested more information, which Pocatello will provide with this filing.

The grounds for this motion are set forth in the accompanying Affidavit of Josephine P. Beeman.

Dated this 16th day of April 2009.

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

By 
Josephine P. Beeman

Attachment A (30 subcases)

29-00271
29-00272
29-00273
29-02274
29-02338
29-02401
29-02499
29-04221
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29-11339
29-11348
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29-13638
29-13639

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the ¹⁶~~15~~th day of April 2009, I caused a true and correct copy of the foregoing document to be served on the following by the method indicated:

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A & B IRRIGATION DISTRICT
BURLEY IRRIGATION DISTRICT

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DIRECTOR OF IDWR
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UNITED STATES OF AMERICA

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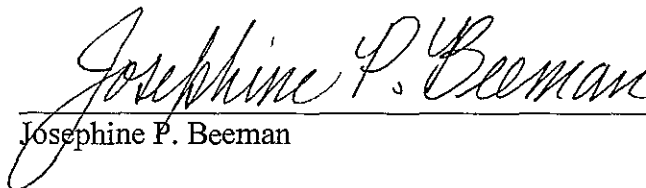
MILNER IRRIGATION DISTRICT
NORTH SIDE CANAL COMPANY
TWIN FALLS CANAL COMPANY

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