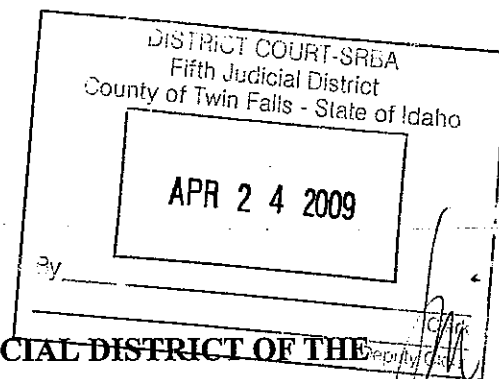


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APR 27 2009
DEPARTMENT OF
WATER RESOURCES



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

Case No. 39576

) Subcase No. 29-00271, et al.
)
)
)

) ORDER GRANTING *AMICI CURIAE*
) PARTICIPATION TO UNITED WATER,
) CITY OF NAMPA AND CITY OF
) BLACKFOOT AND AMENDED
) CHALLENGE SCHEDULING ORDER
)
)

This matter came before the Court pursuant to a *Motion for Leave to Participate or to Participate as Amici Curiae*, filed through counsel, on behalf of United Water Idaho, City of Nampa and City of Blackfoot; and a *Motion to Amend the Challenge Scheduling Order*, filed through counsel, by the City of Pocatello. A hearing was held on both *Motions* April 23, 2008. After hearing the arguments of counsel, the Court ORDERED AND DOES ORDER THE FOLLOWING:

I.

ORDER GRANTING *AMICI CURIAE* PARTICIPATION

IT IS HEREBY ORDERED that the *Motion for Leave to Participate or to Participate as Amici Curie* is Granted as to *Amici Curiae* participation. The Court will consider the *Amicus* brief lodged April 13, 2009. *Amici* participants will also be permitted to be heard at oral argument. Within fourteen (14) days of this Order, counsel for *Amici* shall provide a list of those water rights claimed by United Water Idaho, City of Nampa and City of Blackfoot where remarks similar to those at issue

ORDER GRANTING *AMICI CURIAE* PARTICIPATION TO UNITED WATER, CITY OF
NAMPA AND CITY OF BLACKFOOT AND AMENDED CHALLENGE SCHEDULING ORDER

in this proceeding were either recommended in the *Director's Report* and pending/or were decreed by this Court.

II.

ORDER GRANTING AMENDED CHALLENGE SCHEDULING ORDER

IT IS FURTHER HEREBY ORDERED that the *Motion to Amend the Challenge Scheduling Order* is **Granted**. The *Challenge Scheduling Order* entered December 18, 2008, is amended as follows:

BRIEFING SCHEDULE

Challenger's Opening Brief is due by: **June 3, 2009.**

Respondent's Responsive Brief is due by: **June 17, 2009.**

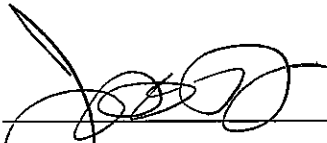
Challenger's Rebuttal Brief is due by: **July 1, 2009.**

ORAL ARGUMENT

Oral argument will be heard on **Thursday, August 13, 2009 at 1:30 p.m.** at the Snake River Basin Adjudication Courthouse, **253 3rd Avenue North, Twin Falls, Idaho.** Telephone participation will be available by calling **1-918-583-3445** and entering **406128** when prompted.

IT IS SO ORDERED.

Dated April 24, 2009



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A - CITY OF POCATELLO

Subcase Nos:

29-00271
29-00272
29-00273
29-02274
29-02338
29-02401
29-02499
29-04221
29-04222
29-04223
29-04224
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29-07106
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29-11339
29-11348
29-13558
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29-13562
29-13637
29-13638
29-13639

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING AMICI CURIAE PARTICIPATION AND AMENDED CHALLENGE SCHEDULING ORDER was mailed on April 24, 2009, with sufficient first-class postage to the following:

CITY OF POCATELLO

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CITY OF BLACKFOOT

CITY OF NAMPA
UNITED WATER IDAHO
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BURLEY IRRIGATION DISTRICT

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TWIN FALLS CANAL COMPANY

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UNITED STATES OF AMERICA

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(Certificate of mailing continued)

MINIDOKA IRRIGATION DISTRICT

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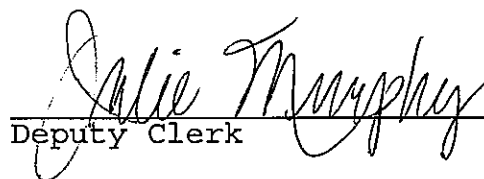
UNITED STATES OF AMERICA
US DEPT OF JUSTICE, ENRD
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BOISE, ID 83724

ORDER

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Deputy Clerk

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line.