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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 TO AMEND BRIEFING
	)	SCHEDULE

The City of Pocatello (Pocatello, or the City), by and through its counsel of record,
Beeman & Associates, P.C., moves this Court for an order amending the briefing schedule.

Pocatello's Reply to the State's Response is now due July 20, 2009; however, there is no
schedule for responses or replies to the Providers' Amicus Brief. Pocatello's counsel has
discussed this matter with Eric Wildman at the SRBA Court and understands that Pocatello can
file a Response to the Providers' Amicus Brief on July 20 along with Pocatello's Reply to the
State's Response Brief.

Pocatello would prefer to file a Response to the Providers' Brief and then file a Reply to
the State's Brief. This could be accomplished by the following briefing schedule, without
changing the August 13 hearing date:

- NEW: Pocatello's Response to the Providers' Amicus Brief: Monday, July 20;
- NEW: Replies to Pocatello's Response to the Providers' Amicus Brief: Monday, August 3;
- CHANGE: Pocatello's Reply to the State's Response: Monday, August 3 (two week extension from July 20);

The City's response to the Providers' Amicus Brief includes extensive factual summaries of the SRBA record to focus the issues of alternate points of diversion, well capacity, water right rates of diversion, and diverted volume in the context of the City's SRBA proceedings and the "snap shot in time" as of November 19, 1987.

Preparation of the factual summaries has been a complicated process given the extensive record and the passage of time during which IDWR recommendations evolved regarding Pocatello and municipal interconnected delivery systems in general. Pocatello believes the additional briefing schedule will benefit the parties, the amici, and the court.

By email, Pocatello has advised other counsel in this proceeding of its interest in changing the briefing schedule. Undersigned counsel also telephoned counsel for the State of Idaho (Shasta Kilminster-Hadley) and left voice mail, but as of the time of this filing, has not been able to speak directly with Ms. Kilminster-Hadley.

Dated this 17th day of July 2009.

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

By Josephine P. Beeman
Josephine P. Beeman

Attachment A (30 subcases)

29-00271
29-00272
29-00273
29-02274
29-02338
29-02401
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29-04221
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29-13639

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 17th day of July 2009, I caused a true and correct copy of the foregoing document to be served on the following by the method indicated:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

Via U.S. mail

STATE OF IDAHO
Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

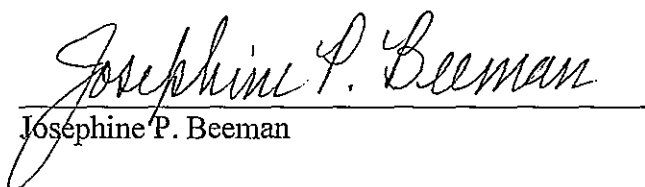
Via U.S. Mail

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NAT'L RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

Via U.S. mail

Christopher H. Meyer
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Josephine P. Beeman