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DEPARTMENT OF
WATER RESOURCES

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ATTORNEYS FOR THE 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	)	CITY OF POCATELLO'S RESPONSE
	)	TO MOTION TO ALTER OR AMEND
Case No. 39576	)	Subcase Nos. 63-303, 63-3613, 63-3614,
	)	and 63-3618
	)	
	)	
	)	
	)	
	)	
	)	

COMES NOW the City of Pocatello (Pocatello), by and through its attorneys of record, Somach Simmons & Dunn, to respond to the Motion to Alter or Amend in the above captioned cases.

Pocatello adopts the procedural history leading up to this Motion to Alter or Amend set forth in the City of Boise's Response.

Pocatello does not have water rights in Basin 63. However, Pocatello is a junior storage water right holder in Palisades Reservoir, and has been participating for several years in negotiations involving the date of reservoir reset for the Upper Snake reservoirs. Pocatello and the others involved in those negotiations have reached a settlement in that dispute involving reset dates that is substantially similar to the resolution of the reset date reached in

the captioned matter. As part of that settlement, it is anticipated that an I.R.C.P. 60(b) motion may be filed to effectuate the settlement's provisions in part.

Pocatello does not take a position on the substantive terms and conditions that are offered to amend the captioned sub-cases; its interest is solely in the legal and procedural arguments that may be advanced either in support of, or in opposition to, this Motion to Alter or Amend, and specifically the application of Rule 60.

Respectfully submitted this 15th day of April, 2019.

SOMACH SIMMONS & DUNN

A handwritten signature in cursive script, appearing to read "Sarah Klahn".

By _____
Sarah A. Klahn
ATTORNEYS FOR CITY OF POCATELLO

Re: BASIN 63 Water Rights

CERTIFICATE OF SERVICE

I certify that on this 15th day of April, 2019, I caused to be served a true and correct copy of the foregoing upon the following persons by United States mail with fax filing to the SRBA District Court:

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Re: BASIN 63 Water Rights

A handwritten signature in black ink, reading "Sarah Klahn". The signature is written in a cursive style with a large, sweeping initial "S".

Sarah A. Klahn