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ATTORNEYS FOR GROUND WATER  
USERS

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF GOODING**

A&B IRRIGATION DISTRICT, AMERICAN  
FALLS RESERVOIR DISTRICT #2,  
BURLEY IRRIGATION DISTRICT,  
MILNER IRRIGATION DISTRICT,  
MINIDOKA IRRIGATION DISTRICT,  
NORTH SIDE CANAL COMPANY, and  
TWIN FALLS CANAL COMPANY

UNITED STATES OF AMERICA,  
BUREAU OF RECLAMATION,

Petitioners,

vs.

IDAHO DAIRYMEN'S ASSOCIATION,  
INC.,

Cross-Petitioner,

vs.

GARY SPACKMAN, in his capacity as

**Case No.: CV-2008-0000551**

**CITY OF POCATELLO'S AND  
GROUND WATER USERS'  
RESPONSE TO SWC'S MOTION TO  
EXTEND DEADLINE TO RESPOND**

Interim Director of the Idaho Department of  
Water Resources,<sup>1</sup> and THE IDAHO  
DEPARTMENT OF WATER RESOURCES

Respondents,

IN THE MATTER OF DISTRIBUTION OF  
WATER TO VARIOUS WATER RIGHTS  
HELD BY OR FOR THE BENEFIT OF A&B  
IRRIGATION DISTRICT, AMERICAN  
FALLS RESERVOIR DISTRICT #2,  
BURLEY IRRIGATION DISTRICT,  
MILNER IRRIGATION DISTRICT,  
MINIDOKA IRRIGATION DISTRICT,  
NORTH SIDE CANAL COMPANY AND  
TWIN FALLS CANAL COMPANY

The City of Pocatello (“Pocatello”) and the Idaho Ground Water Appropriators, acting for and on behalf of their members (“Ground Water Users”), hereby submit this Response to SWC’s Motion to Extend Deadline to Respond to City of Pocatello’s & Ground Water Users’ Motion for Stay and to Augment the Record with Additional Evidence (“Motion”).

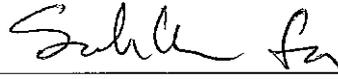
Pocatello and the Ground Water Users participated in all or part of the hearing referenced in SWC’s Motion. Pocatello and the Ground Water Users consent to SWC’s request for an extension until June 2, 2010, provided they are similarly provided an extension in filing any reply until June 7, 2010.

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<sup>1</sup> Director David R. Tuthill retired as Director of Idaho Department of Water Resources effective June 30, 2009. Gary Spackman was appointed as Interim Director. I.R.C.P. 25 (d) and (e).

Respectfully submitted, this 28<sup>th</sup> day of May, 2010.

ATTORNEYS FOR CITY OF POCA TELLO

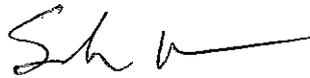


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A. Dean Tranmer



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Sarah A. Klahn

ATTORNEYS FOR GROUND WATER USERS



\_\_\_\_\_  
Candice M. McHugh

## CERTIFICATE OF SERVICE

I hereby certify that on this 28<sup>th</sup> day of May, 2010, I caused to be served a true and correct copy of the foregoing **City of Pocatello's and Ground Water User's Response to SWC's Motion to Extend Deadline to Respond** in Case No. CV-2008-0000551 upon the following by the method indicated:

  
 Sarah Klahn, White & Jankowski, LLP

Gary Spackman, Interim Director State of Idaho, Dept of Water Resources 322 E Front St PO Box 83720 Boise ID 83720-0098 <a href="mailto:Deborah.Gibson@idwr.idaho.gov">Deborah.Gibson@idwr.idaho.gov</a>	<input type="checkbox"/> U.S. Mail, Postage Prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail – Federal Express <input type="checkbox"/> Facsimile 208-287-6700, Phone 208-287-4942 <input checked="" type="checkbox"/> Email
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<p>Michael Gilmore Attorney General's Office PO Box 83720 Boise ID 83720-0010 <a href="mailto:mike.gilmore@ag.idaho.gov">mike.gilmore@ag.idaho.gov</a></p>	<p><input type="checkbox"/> U.S. Mail, Postage Prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile 208-334-2830 <input checked="" type="checkbox"/> Email</p>
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<p>James Lochhead  Adam DeVoe  410 17<sup>th</sup> St 22<sup>nd</sup> Floor  Denver CO 80202</p>	<p><input checked="" type="checkbox"/> U.S. Mail, Postage Prepaid  <input type="checkbox"/> Hand Delivery  <input type="checkbox"/> Overnight Mail  <input type="checkbox"/> Facsimile  <input type="checkbox"/> Email</p>