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*Attorneys for Plaintiff City of Pocatello*

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

CITY OF POCATELLO,

Plaintiff,

vs.

IDAHO WATER RESOURCES BOARD,  
IDAHO DEPARTMENT OF WATER  
RESOURCES, GARY SPACKMAN, in his  
capacity as Director of the Idaho Department of  
Water Resources, and TONY OLENICHAK, in  
his capacity as Water District 01 Watermaster,

Defendants.

IN THE MATTER OF DISTRIBUTION OF  
WATER TO VARIOUS WATER RIGHTS HELD  
BY AND FOR THE BENEFIT OF A&B  
IRRIGATION DISTRICT, ET AL.

IN THE MATTER OF IGWA'S SETTLEMENT  
AGREEMENT MITIGATION PLAN

**Case No. CV42-23-1668**

**UNOPPOSED MOTION TO  
RESCHEDULE HEARING ON  
SPACEHOLDERS' MOTION  
TO INTERVENE**

Fee Category: Exempt  
Idaho Code § 67-2301


COMES NOW the City of Pocatello, by and through its attorneys of record, to move the Court for an Order rescheduling the arguments on the Motion to Intervene filed by the Burley Irrigation District, Fremont-Madison Irrigation District and Idaho Irrigation District (“Spaceholders”) to **Wednesday, June 28, 2023 at 9:00am.** at the Snake River Basin Adjudication courtroom in the Fifth Judicial District. The hearing will be conducted via Zoom with instructions to be provided to the parties from the Court at a later date.

Dated this 22<sup>nd</sup> day of May, 2023.

CITY OF POCATELLO

SOMACH SIMMONS & DUNN, P.C.

/s/ Richard A. Diehl, Jr.  
Richard A. Diehl, Jr., ISB No. 4969  
Deputy City Attorney

  
Sarah A. Klahn, ISB No. 7928  
*Attorneys for Plaintiff City of Pocatello*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 23rd day of May, 2023, I caused to be served a true and correct copy of the foregoing document via iCourt E-File and Serve, upon the following:

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