

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT 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, Tony Olenichak  
Defendant.

Case No. CV42-23-1668

Court Minutes

Judge: Wildman, Eric J.  
Clerk: Pam Schulz  
Court Reporter: Text Revo  
Hearing Type: Scheduling Conference

Date: 07/26/2023  
Location: Courtroom 2  
Interpreter:

**Hearing Start FTR Time: 3:30 PM**

Journal Entries:

(330) Court called the case, presented status and made introductions of parties present via zoom; Sarah Klahn and Max Bricker on behalf of plaintiff, Ann Yribar on behalf of defendants, Candice McHugh on behalf of interveners (coalition of cities), Jerry Rigby on behalf of Fremont Madison Irrigation district and Idaho Irrigation district, and Travis Thompson on behalf of Burley Irrigation district.

(332) Court presented clarification of proposed scheduling order and case not being assigned to SRBA.

(334) Court inquired of Ms. Klahn regarding proposed scheduling order. Ms. Klahn responded.

(336) Counsel stipulate to 3 days for trial beginning Oct 1, 2024. Court set pretrial 9/16/2024 @3pm, via zoom.

(338) Ms. Klahn informed that discovery dates have been talked about and will change. Counsel to submit scheduling order with new discovery cut off, pretrial and trial dates. Ms. Klahn inquired about cut off/scheduling for MSJ deadline. Court responded and advised that if agreed upon, include in scheduling order.

(341) Mr. Thompson discussed option of mediation, his client not opposed. Court responded, could have special master from adjudication court or one assigned through the Supreme Court. Ms. Klahn and Ms. Yribar responded, agree to mediation.

(343) Court adjourned.

**Hearing End FTR Time: 3:43 PM**