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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 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,

Petitioners,

vs.

DAVID R. TUTHILL, JR., in his capacity as Director  
of the Idaho Department of Water Resources, and THE  
IDAHO DEPARTMENT OF WATER RESOURCES,

Respondents.

Case No. CV-2008-0000551

CITY OF POCATELLO'S  
OBJECTION TO THE  
AGENCY RECORD

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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

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COME NOW, CITY OF POCA TELLO, through counsel, and respectfully object, pursuant to rule 84(j) of the Idaho Rules of Civil Procedure and paragraph 6 of the Court's Procedural Order, to the agency record filed by the Idaho Department of Water Resources ("Department") in this matter. Pocatello has identified numerous pleadings and exhibits missing from the record. However, it appears that IGWA has listed as missing nearly all of the same documents Pocatello identified. Rather than burden the court with duplicative filings, Pocatello generally joins with IGWA's Objections to the Record.

Pocatello respectfully requests that the missing pleadings and exhibits identified through IGWA's Objections be made part of the record; similarly that the corrections identified through IGWA's filing be made.

Respectfully submitted, this 20<sup>th</sup> day of January, 2009.

CITY OF POCA TELLO ATTORNEY'S OFFICE  
Attorneys for the City of Pocatello

By   
A. Dean Tranmer

WHITE & JANKOWSKI, LLP  
Attorneys for the City of Pocatello

By   
Sarah A. Klahn

**CERTIFICATE OF SERVICE**

I hereby certify that on this 20<sup>th</sup> day of January, 2009, I caused to be served a true and correct copy of the foregoing **City of Pocatello's Objection to the Agency Record** for **Case No. CV-2008-0000551** upon the following by the method indicated:



Sarah Klahn, White & Jankowski, LLP

<p>Cindy Ervin, Deputy Clerk Gooding County District Court 624 Main St Gooding ID 83330</p>	<p><input type="checkbox"/> U.S. Mail, Postage Prepaid <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Overnight Mail -- Federal Express <input type="checkbox"/> Facsimile – 208-934-4408 <input type="checkbox"/> Email</p>
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