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FILED-DISTRICT COURT
CASE #

DEPARTMENT OF
WATER RESOURCES

2010 JUL -7 AM 10:07

DUANE [Signature] CLERK
DEPUTY

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

A & B IRRIGATION DISTRICT)	Subcase No.: 2009-000647
)	
Petitioner,)	ORDER GRANTING PETITIONS FOR
)	REHEARING
vs.)	
)	NOTICE OF HEARING AND SCHEDULING
THE IDAHO DEPARTMENT OF)	ORDER ON PETITIONS FOR REHEARING
WATER RESOURCES and GARY)	
SPACKMAN in his official capacity)	
as Interim Director of the Idaho)	
Department of Water Resources,)	
)	
Respondents.)	
)	
IN THE MATTER OF THE)	
PETITION FOR DELIVERY)	
CALL OF A & B IRRIGATION)	
DISTRICT FOR THE DELIVERY)	
OF GROUND WATER AND FOR)	
THE CREATION OF A GROUND)	
WATER MANAGEMENT AREA)	

This Court issued its *Memorandum Decision and Order on Petition for Judicial Review* in this matter on May 4, 2010. This Court subsequently entered its *Order of Extension Re: Filing Date of Memorandum Decision*, wherein it was ordered that for all purposes the date of entry of the *Memorandum Decision* shall be treated as May 20, 2010. On June 10, 2010, the City of Pocatello filed its *Petition for Rehearing*, requesting rehearing of the Court's *Memorandum Decision*. Also on June 10, 2010, the Ground Water Users filed a *Petition for Rehearing*, requesting rehearing of the Court's *Memorandum Decision*. On June 29, 2010, both the City of Pocatello and the Ground Water Users filed a *Brief in Support of Petition for Rehearing*. Following a review of the

file and the briefing in support of the *Petitions for Rehearing*, the Court finds that good cause exists for granting the requested rehearing.

THEREFORE, IT IS HEREBY ORDERED that the *Petitions for Rehearing* filed by the City of Pocatello and the Ground Water Users are hereby granted.

IT IS HEREBY FURTHER ORDERED that a hearing on the *Petitions for Rehearing* is scheduled for **Monday, September 13, 2010, at 1:30 p.m.** at the Minidoka County Courthouse, 8th & G Street, Rupert, Idaho 83350. Telephone participation will be available by calling 1-215-446-0193 and entering 406128 followed by the # sign when prompted.

IT IS HEREBY FURTHER ORDERED that the parties shall abide by the following briefing schedule on rehearing:

1. **August 4, 2010:** Deadline for filing Petitioners' opening briefs.
2. **August 25, 2010:** Deadline for filing Respondents' brief.
3. **September 7, 2010:** Deadline for filing Petitioners' reply briefs.

Dated July 7, 2010.


ERIC J. WILDMAN
District Judge

2010 JUL -7 AM 10:14

DUANE CLERK
DEPUTY

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 7TH day of July, 2010, she caused a true and correct copy of the foregoing ORDER GRANTING PETITION FOR REHEARING/NOTICE OF HEARING AND SCHEDULING ORDER ON PETITION FOR REHEARING on the persons listed below by faxing thereto to the parties at the indicated fax number:

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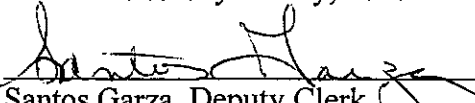
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Dated this 7th day of July, 2010


Santos Garza, Deputy Clerk