

**White & Jankowski, L.L.P.***Lawyers***DATE:** January 3, 2008**Please deliver the following document(s) to:**

**NAME:<sup>1</sup>** Victoria Wigle and Gerald F. Schroeder, Hearing Officer  
**cc:** 1-208-287-6700  
Lyle Swank 1-208-525-7177  
Allen Merritt & Cindy Yenter 1-208-736-3037

**RE:** Pocatello's Motion for Reconsideration of the Director's 7th Supplemental Order Amending Replacement Water Requirements

**FROM:** Sarah Klahn

**OUR FACSIMILE NUMBER: 303.825.5632****TOTAL NUMBER OF PAGES INCLUDING THIS COVER PAGE:   5**

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**COMMENTS:<sup>2</sup>**

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<sup>2</sup> A hard copy of this facsimile message was also mailed to the addressee: YES \_\_\_\_\_ No  \_\_\_\_\_

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Attorneys for City of Pocatello

**BEFORE THE DEPARTMENT OF WATER RESOURCES**

**OF THE STATE OF IDAHO**

IN THE MATTER OF DISTRIBUTION OF	)	
WATER TO VARIOUS WATER RIGHTS	)	
HELD BUY OR FOR THE BENEFIT OF	)	<b>POCATELLO'S MOTION FOR</b>
A&B IRRIGATION DISTRICT, AMERICAN	)	<b>RECONSIDERATION OF THE</b>
FALLS RESERVOIR DISTRICT #2, BURLEY	)	<b>DIRECTOR'S SEVENTH</b>
IRRIGATION DISTRICT, MILNER	)	<b>SUPPLEMENTAL ORDER</b>
IRRIGATION DISTRICT, MINIDOKA	)	<b>AMENDING REPLACEMENT</b>
IRRIGATION DISTRICT, NORTH SIDE	)	<b>WATER REQUIREMENTS</b>
CANAL COMPANY, AND TWIN FALLS	)	
CANAL COMPANY	)	

The City of Pocatello hereby files its Petition for Reconsideration of the Director's Seventh Supplemental Order Amending Replacement Water Requirements ("Seventh Supplemental Order").

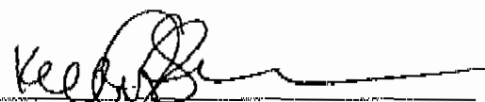
1. The Director of the Idaho Department of Water Resources issued an amended order on May 2, 2005 ("May 2005 Order") in response to the Surface Water Coalition's January 14, 2005 letter requesting a delivery call. The Seventh Supplemental Order is a "supplement" to the May 2005 Order.
2. Pocatello has previously detailed its objections to the May 2005 Order (and its predecessor order of April 19, 2005) in various pleadings and expert reports previously

filed in this matter. As the Seventh Supplemental Order is a continuation of the May 2005 Order, no party need state objections to the Seventh Supplemental Order or restate objections to the May 2005 Order. However, to the extent the Seventh Supplemental Order relies on the same legal, factual, and engineering deficiencies as the May 2005 Order, Pocatello restates its previous concerns, objections, and legal arguments, and incorporates them herein by reference.

Respectfully submitted this 3<sup>rd</sup> day of January 2008.

WHITE & JANKOWSKI, LLP

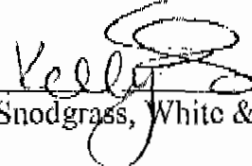
By

  
\_\_\_\_\_  
Sarah A. Klahn  
Kelly L. Snodgrass

Attorneys for the City of Pocatello

### CERTIFICATE OF SERVICE

I hereby certify that on this 3<sup>rd</sup> day of January, 2008, I caused to be served a true and correct copy of the foregoing **Pocatello's Motion for Reconsideration of the Director's Seventh Supplemental Order Amending Replacement Water Requirements** by electronic mail and/or facsimile to:

  
 Kelly Snodgrass, White & Jankowski, LLP

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