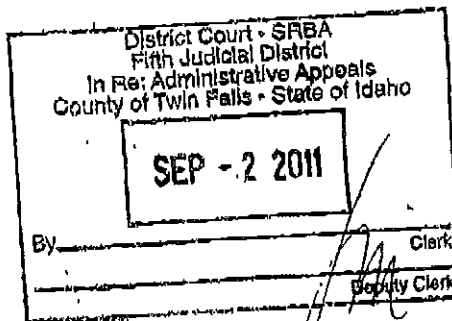


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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF MINIDOKA

A & B IRRIGATION DISTRICT,)
)
Petitioner,)
)
vs.)
)
THE IDAHO DEPARTMENT OF WATER)
RESOURCES and GARY SPACKMAN in his)
official capacity as Interim Director of the)
Idaho Department of Water Resources,)
)
Respondents.)
)

Case No. CV 2011-512

POCATELLO'S NOTICE OF
APPEARANCE TO SRBA

Fee Category:)
Exempt pursuant to Idaho Code §67-2301

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)
)

TO: CLERK OF ABOVE-ENTITLED COURT AND TO ALL COUNSEL OF RECORD:

You are hereby notified that Sarah A. Klahn enters her appearance as attorney of record for and on behalf of the City of Pocatello, Idaho (“City” or “Pocatello”) in the above-captioned matter.

The above-captioned matter before this Court concerns A&B Irrigation District’s appeal of a *Final Order on Remand Regarding the A&B Irrigation District Delivery Call* (“*Remand Order*”) entered by the Director of the Idaho Department of Water Resources (“IDWR”) on April 27, 2011 in IDWR proceeding No. CM-DC-2011-001. The *Remand Order* was issued by the Department pursuant to this Court’s May 4, 2010 *Memorandum Decision and Order on Petition for Judicial Review* (“*Memorandum Order*”) in Case No. 2009-647, in which the Court remanded to the Department to evaluate the evidence in the record and make a determination regarding injury pursuant to the clear and convincing standard of evidence. *Memorandum Order* at 49-50. *See also Memorandum Decision and Order on Petitions for Rehearing*, November 2, 2010. Pocatello was a Respondent in both Case No. 2009-647 before this Court and in the pending appeal of that matter before the Idaho Supreme Court. Pocatello was also a party to the remand of the matter that proceeded before the Department as IDWR Docket No. CM-DC-2011-001, and participated in the briefing of proposed findings in that matter.


Based on the foregoing, Pocatello requests that the court designate Pocatello as a Respondent-Intervenor in the above captioned matter amend the caption accordingly.

Respectfully submitted this 2nd day of September, 2011.

CITY OF POCATELLO 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 2nd day of September, 2011, a copy of **Pocatello's Notice of Appearance in Case CV-2011-512, Minidoka County** was served by facsimile to SRBA and by email only to the following parties [which was previously filed with Minidoka County Clerk and Counsel of Record on 08-25-11]:



Sarah A. Klahn, White & Jankowski, LLP

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<p>Gary Spackman, Interim Director State of Idaho, Dept of Water Resources 322 E Front St PO Box 83720 Boise ID 83720-0098</p> <p>Deborah.Gibson@idwr.idaho.gov</p>	<p>Garrick Baxter Chris Bromley Deputy Attorneys General Idaho Dept of Water Resources PO Box 83720 Boise ID 83720-0098</p> <p>garrick.baxter@idwr.idaho.gov chris.bromley@idwr.idaho.gov</p>	<p>John K. Simpson Travis L. Thompson Paul L. Arrington Sarah W. Higer Barker Rosholt & Simpson 113 Main Ave West Ste 303 PO Box 485 Twin Falls ID 83303-0485</p> <p>facsimile 208-735-2444 jks@idahowaters.com flt@idahowaters.com pla@idahowaters.com swh@idahowaters.com</p>
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