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*Attorneys for Petitioner City of Pocatello*

**IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT  
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA**

CITY OF POCA TELLO,

Petitioner,

vs.

IDAHO DEPARTMENT OF WATER  
RESOURCES, and MATHEW WEAVER in  
his capacity as Director of the Idaho  
Department of Water Resources,

Respondents.

IN THE MATTER OF THE ALLOCATION OF  
STORED WATER TO THE CITY OF  
POCA TELLO BY WATER DISTRICT 01

**Case No. CV01-25-19039**

**UNOPPOSED MOTION TO AMEND  
PROCEDURAL ORDER**

Fee Category: Exempt  
Idaho Code § 67-2301

Case Type: L.3.a

COME NOW, Petitioner CITY OF POCA TELLO (“Pocatello”), by and through their undersigned counsel of record, hereby moves the Court to amend the *Procedural Order*, dated October 20, 2025 and the *Order Granting Motion to Modify Briefing Schedule*, dated November

19, 2025 by extending the deadlines for the parties to file response briefs and reply briefs to the City of Pocatello's *Opening Brief*, and to continue the oral argument set for March 12, 2026.

Counsel for the other parties to this matter have consented to the modified schedule set forth below and also inquired if the arguments can be held via zoom or other teleconference service.

| Action                          | Current Date      | Proposed Date  |
|---------------------------------|-------------------|--|
| Respondents' response brief due | January 30, 2026  | February 27, 2026  |
| Petitioner's reply brief due    | February 20, 2026 | March 23, 2026   |
| Oral argument                   | March 12, 2026    | April 30, 2026 at 9:00 A.M., arguments to be held by zoom. |

WHEREFORE, Pocatello requests that the Court issue a *First Amended Procedural Order* to modify the deadlines for the remainder of the briefing schedule and oral argument.

Respectfully submitted this 30th day of January 2026.

**SOMACH SIMMONS & DUNN, P.C.**



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*Attorneys for Petitioner City of Pocatello*

## **CERTIFICATE OF SERVICE**

I hereby certify that on this 30th day of January 2026, I caused to be filed and served a true and correct copy of the *Unopposed Motion to Amend Scheduling Order* via electronic mail and icourt to the following:

|   |  |
|---|--|
| <b>IDAHO DEPARTMENT OF WATER RESOURCES</b><br>Director Mathew Weaver<br>Garrick Baxter<br>Sarah Tschohl<br><a href="mailto:Mathew.weaver@idwr.idaho.gov">Mathew.weaver@idwr.idaho.gov</a><br><a href="mailto:Garrick.baxter@idwr.idaho.gov">Garrick.baxter@idwr.idaho.gov</a><br><a href="mailto:sarah.tschohl@idwr.idaho.gov">sarah.tschohl@idwr.idaho.gov</a><br><a href="mailto:file@idwr.idaho.gov">file@idwr.idaho.gov</a> | <b>BURLEY IRRIGATION DISTRICT</b><br>John K. Simpson<br>IdaH20, PLLC<br><a href="mailto:jks@idahowaters.com">jks@idahowaters.com</a><br><br>Travis L. Thompson<br>Abby Bitzenburg<br>PARSONS BEHLE & LATIMER<br><a href="mailto:TThompson@parsonsbehle.com">TThompson@parsonsbehle.com</a><br><a href="mailto:abitzenburg@parsonsbehle.com">abitzenburg@parsonsbehle.com</a> |
| <b>COALITION OF CITIES</b><br>Candice M. McHugh<br>Chris M. Bromley<br>MCHUGH BROMLEY, PLLC<br><a href="mailto:cbromley@mchughbromley.com">cbromley@mchughbromley.com</a><br><a href="mailto:cmchugh@mchughbromley.com">cmchugh@mchughbromley.com</a>   | <b>FREMONT MADISON IRRIGATION DISTRICT; IDAHO IRRIGATION DISTRICT</b><br>Jerry Rigby<br>Hyrum Erickson<br>RIGBY ANDRUS & RIGBY LAW PPLC<br><a href="mailto:jrigby@rex-law.com">jrigby@rex-law.com</a><br><a href="mailto:herickson@rex-law.com">herickson@rex-law.com</a>  |
| <b>WATER DISTRICT 01</b><br>Craig Chandler<br><a href="mailto:Craig.chandler@idwr.idaho.gov">Craig.chandler@idwr.idaho.gov</a>  | Richard A. Diehl, Jr.: <a href="mailto:rdiehl@pocatello.gov">rdiehl@pocatello.gov</a><br>Ann Yribar: <a href="mailto:ann.yribar@ag.idaho.gov">ann.yribar@ag.idaho.gov</a>  |



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