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*Attorneys for Plaintiff City of Pocatello*

**IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF  
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK**

CITY OF POCATELLO

Plaintiff,

vs.

IDAHO WATER RESOURCES BOARD, IDAHO  
DEPARTMENT OF WATER RESOURCES,  
GARY SPACKMAN in his capacity as Director of  
the Idaho Department of Water Resources and  
TONY OLENICHAK, in his capacity as Water  
District 01 Watermaster

Defendants.

Case No. CV03-23-00876


**JOINT MOTION TO  
SET DEADLINE FOR STATE OF  
IDAHO'S AMENDED ANSWER**

COMES NOW Plaintiff City of Pocatello (“Pocatello”), and Defendants Idaho Water Resources Board, Idaho Department Water Resources, Gary Spackman and Tony Olenichak (“State of Idaho”) (collectively, the “Parties”), by and through their respective counsel of record, to ask the Court to enter an order granting the Parties’ stipulated deadline for the State’s Amended Answer.

1. On April 20, 2023, Pocatello filed its *Notice of Errata*, which corrected certain errors in citation and provided revised versions of certain exhibits to the Complaint in this matter.
2. The State of Idaho’s deadline to file its Revised Answer to respond to the Notice of Errata is May 4, 2023.
3. On May 2, 2023, Pocatello filed its Amended Complaint.
4. The State of Idaho’s deadline to file a Revised Answer to response to the Amended Complaint would be May 16, 2023.
5. The Parties have agreed that it is desirable to facilitate the State of Idaho’s filing of a Revised Answer that comprehensively responds to the Notice of Errata and Amended Complaint, and agree that May 16, 2023 is an agreeable deadline for the State of Idaho’s Revised Answer.

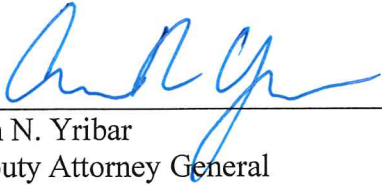
WHEREFORE, Pocatello and the State of Idaho respectfully request that the Court enter an order consistent with the relief sought in this Stipulated Motion.

DATED May 2, 2023.

<p>STATE OF IDAHO OFFICE OF THE ATTORNEY GENERAL</p> <hr/> <p>Ann N. Yribar Deputy Attorney General</p> <p><i>Attorneys for Defendants Idaho Water Resource Board, Idaho Department of Water Resources, Gary Spackman in his official capacity as the Director of the Idaho Department of Water Resources, and Tony Olenichak in his capacity as Water District 01 Watermaster.</i></p>	<p>SOMACH SIMMONS &amp; DUNN, P.C.</p>  <hr/> <p>Sarah A. Klahn, ISB No. 7928</p> <p><i>Attorney for Plaintiff City of Pocatello</i></p>
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DATED May 2, 2023.

STATE OF IDAHO  
OFFICE OF THE ATTORNEY GENERAL



Ann N. Yribar  
Deputy Attorney General

*Attorneys for Defendants Idaho Water  
Resource Board, Idaho Department of Water  
Resources, Gary Spackman in his official  
capacity as the Director of the Idaho  
Department of Water Resources, and Tony  
Olenichak in his capacity as Water District  
01 Watermaster.*

SOMACH SIMMONS & DUNN, P.C.



Sarah A. Klahn, ISB No. 7928

*Attorney for Plaintiff City of Pocatello*

## CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of May, 2023, I caused to be served a true and correct copy of the foregoing *Motion to Amend Complaint* via iCourt E-File and Serve, upon the following:

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