

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

City Of Pocatello
Plaintiff,
vs.
Idaho Water Resources Board, Idaho
Department of Water Resources, Gary
Spackman, Tony Olenichak, Mathew Weaver
Defendant.

Case No. CV42-23-1668

Court Minutes

Judge: Wildman, Eric J.
Clerk: Pam Schulz
Court Reporter: Helen Miller

Date: 11/30/2023
Location: Courtroom 1
Hearing Type: Motion for Summary
Judgment

Hearing Start FTR Time: 9:00 AM

Journal Entries:

(900) The Court called the case, presented status of plaintiff's motion for partial summary judgment and defendant/interveners cross motions for summary judgment. The Court made introduction of parties present in person and via zoom. Sarah Klahn and Maximilian Bricker, in person, and Rich Diehl, via zoom, appeared on behalf of plaintiff; Ann Yribar, in person, and Garrick Baxter, via zoom, appeared on behalf of defendants; Travis Thompson appeared, in person, on behalf of intervener, Burley Irrigation District; Jerry Rigby appeared, via zoom, on behalf of interveners, Freemont-Madison and Idaho Irrigation Districts; Candice McHugh appeared, via zoom, on behalf of remainder of interveners.

(905) Ms. Klahn presented arguments in support of partial motion for summary judgment. (908) The Court questioned Ms. Klahn in aid of argument. Ms. Klahn responded. (930) Ms. Klahn continued with argument in support of motion for partial summary judgment. (1000) Court recessed.

(1012) Court reconvened. Ann Yribar responded to the Court's questions that were asked during Ms. Klahn's argument. (1015) Ms. Yribar presented argument in support of defendants' cross motion for summary judgment.

(1041) Mr. Thompson presented argument in support of intervener Burley Irrigation District's cross motion for summary judgment. (1055) The Court questioned Mr. Thompson in aid of argument. Mr. Thompson responded.

(1057) Mr. Rigby presented argument in support of interveners Freemont-Madison and Idaho Irrigation District's cross motion for summary judgment.

(1105) Ms. McHugh presented argument in support of interveners cross motion for summary judgment. (1113) The Court questioned Ms. McHugh in aid of argument. Ms. McHugh responded. (1117) Court recessed.

(1127) Court reconvened. Ms. Klahn presented rebuttal argument. (1141) The Court presented finding and fact, will take under advisement and issue written opinion. Court adjourned.

Hearing End FTR Time: 11:41AM