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

CITY OF POCATELLO, CITY OF IDAHO  
FALLS, CITY OF BLISS, CITY OF BURLEY,  
CITY OF CAREY, CITY OF DECLO, CITY  
OF DIETRICH, CITY OF GOODING, CITY  
OF HAZELTON, CITY OF HEYBURN, CITY  
OF JEROME, CITY OF PAUL, CITY OF  
RICHFIELD, CITY OF RUPERT, CITY OF  
SHOSHONE, CITY OF WENDELL, and  
MCCAIN FOODS USA, INC.,

Petitioners,

vs.

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

**Case No. CV01-23-08306**

IDWR Docket No. CM-DC-2010-001

**MOTION TO SHORTEN TIME  
FOR HEARING**

Respondents.

IN THE MATTER OF THE DISTRIBUTION OF  
WATER TO VARIOUS WATER RIGHTS  
HELD BY AND FOR THE BENEFIT OF A&B  
IRRIGATION DISTRICT, AMERICAN FALLS  
RESERVOIR DISTRICT #2, BURLEY  
IRRIGATION DISTRICT, MILNER  
IRRIGATION DISTRICT, MINIDOKA  
IRRIGATION DISTRICT, NORTH SIDE  
CANAL COMPANY, AND TWIN FALLS  
CANAL COMPANY

COME NOW the City of Pocatello (“Pocatello”), by and through its attorneys of record, Somach Simmons & Dunn, P.C., the Cities of Bliss, Burley, Carey, Declo, Dietrich, Gooding, Hazelton, Heyburn, Jerome, Paul, Richfield, Rupert, Shoshone, and Wendell (“Coalition of Cities”), by and through their attorneys of record, Candice M. McHugh and Chris M. Bromley, the City of Idaho Falls (“Idaho Falls”), by and through its attorney of record, Robert L. Harris (collectively the “Cities”); and McCain Foods USA, Inc. (“McCain”), by and through its attorney of record Candice M. McHugh, (collectively the “Petitioners”) and hereby moves the Court to shorten time pursuant to I.R.C.P. 7(b)(3)(H) to hear argument on *Petitioners’ Motion for Stay Based on IDWR’s Interference with Lawful Discovery* (“Motion to Stay”) filed on May 22, 2023. Petitioners have good cause to have their *Motion to Stay* considered on an expedited basis, as a hearing on motions in related matters in Case No. CV01-23-8258 and CV01-23-8187 is taking place on June 1, 2023 at 1:30 pm, and, in the interest of judicial efficiency, this *Motion to Stay* would also be best heard at that time.

DATED this 31st day of May 2023.

<p><b>SOMACH SIMMONS &amp; DUNN</b></p> <p>By <u>      /s/ Maximilian C. Bricker      </u>  Maximilian C. Bricker (ISB #12283)  Sarah A. Klahn (ISB #7928)</p> <p><i>Attorneys for City of Pocatello</i></p>	<p><b>MCHUGH BROMLEY, PLLC</b></p> <p>By <u>      /s/ Candice M. McHugh      </u>  Candice M. McHugh (ISB# 5908)  Chris M. Bromley (ISB # 6530)</p> <p><i>Attorneys for the Cities of Bliss, Burley, Carey, Declo, Dietrich, Gooding, Hazelton, Heyburn, Jerome, Paul, Richfield, Rupert, Shoshone, and Wendell, and McCain Foods USA, Inc.</i></p>
<p><b>HOLDEN KIDWELL HAHN &amp; CRAPO</b></p> <p>By <u>      /s/ Robert L. Harris      </u>  Robert L. Harris (ISB# 7018)</p> <p><i>Attorneys for City of Idaho Falls</i></p>	

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of May, 2023, I served a true and correct copy of the foregoing document was served through iCourt on any other persons who have entered notices of appearances or are named parties through iCourt:

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/s/ Candice McHugh  
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