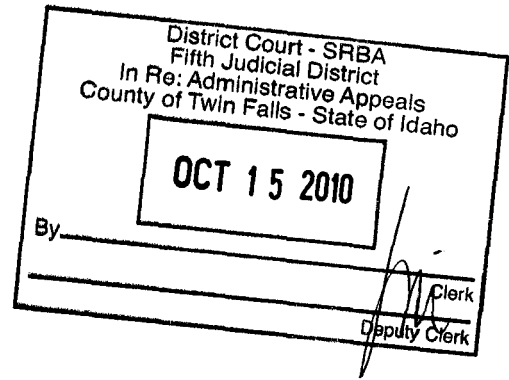


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**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF GOODING**

IDAHO GROUND WATER
APPROPRIATORS, INC.,

Petitioners,

vs.

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

Respondents,

IN THE MATTER OF DISTRIBUTION OF
WATER TO VARIOUS WATER RIGHTS
HELD BY OR 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

Case No.: CV-2010-382

**GROUND WATER USERS' OBJECTION
TO AGENCY TRANSCRIPT & RECORD
AND REQUEST FOR EXTENSION OF
TIME**

IDAHO GROUND WATER APPROPRIATORS, INC., acting for and on behalf of their
members (collectively the "Ground Water Users"), through counsel, pursuant to Rule 84(j) of the

Idaho Rules of Civil Procedure and paragraphs 6 and 8 of the Court's *Procedural Order Governing Judicial Review Of Final Order Of Director Of Idaho Department Of Water Resources* filed in Gooding County Case No. CV-2010-382 and the *Order Approving Extension of Time to Lodge Agency Transcript and Record* dated August 3, 2010, and submit this objection to the agency record and transcript filed by the Idaho Department of Water Resources ("Department") and requests an extension of time to object to the record in this matter. The bases for the request for extension of time and objection are as follows:

Counsel for IGWA realized yesterday while preparing this objection, that the cd that she received containing the agency transcript and record on October 8, 2010 is incomplete and is not the official record of IDWR according to conversations with personnel at IDWR. It was also discovered that cds sent to other parties in this matter contained documents identified in the Department's June 24, 2010 letter (Bates No. 626) pertaining to the Mitigation Plan proceeding. IGWA requests additional time to object to the agency transcript and record in order to have time to review a complete and correct cd. A one-week extension will be sufficient to accomplish this.

Additionally, the record established for the appeal of the Surface Water Coalition Delivery call in the *A & B Irrigation District, et al. v. Spackman, et al.*, Gooding County Case Number 2008-551 ("551" case) should be incorporated and made a part of this agency record. Among other relevant documents, the 551 case includes the Director's final order in the delivery call case from which the methodology and as-applied proceedings originate.

Based on the foregoing, IGWA will supplement this objection by October 22, 2010.

DATED this 15th day of October, 2010

RACINE, OLSON, NYE, BUDGE &
BAILEY, CHARTERED

A handwritten signature in cursive script, appearing to read "Candice Mchugh", is written over a horizontal line.

RANDALL C. BUDGE
CANDICE M. MCHUGH
THOMAS J. BUDGE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 15th day of October, 2010, the above and foregoing document was served in the following manner.

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