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ATTORNEY FOR AFRD2

ATTORNEYS FOR IDAHO GROUND WATER
APPROPRIATORS

BEFORE DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO

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

Docket No.: CM-DC-2010-001

STIPULATED NOTICE OF
SECURED WATER IN
COMPLIANCE WITH FINAL
ORDER ESTABLISHING 2012
REASONABLE CARRYOVER

(METHODOLOGY STEP 9)

Idaho Ground Water Appropriators, Inc., acting for and on behalf of its members (the "Ground Water Users") and American Falls Reservoir District No. 2, (jointly "the Parties") hereby file this *Stipulated Notice of Secured Water in Compliance with Final Order Establishing 2012 Reasonable Carryover (Methodology Step 9)*.

The Parties notify the Director of the amount of water the Ground Water Users have secured to avoid curtailment in this matter, based upon the representations of the Ground Water Users, as required by the Director's *Final Order Establishing 2012 Reasonable Carryover - Methodology Step 9 ("2012 Final Order")* dated November 26, 2012. The 2012 Final Order

required the junior groundwater users to secure 17,318 acre-feet of storage water in order to eliminate material injury to AFRD2 and thereby avoid curtailment. 2012 Final Order at 5.

The Ground Water Users have secured more than 17,318 acre-feet of water under various leases. The water under these leases has been assigned to four storage space holders' accounts in Palisades Reservoir as follows:

3750af – Enterprise
3750af – Peoples
1250af – Palisades WU
8639af – ASCC (balance)

The Ground Water Users have assigned this to the junior storage space holders' accounts in Palisades Reservoir in order to maximize the security and availability of this storage supply for use in the 2013 irrigation season. To the extent that AFRD2's storage account does not fill in 2013, then storage water will be withdrawn from the above accounts' 2013 storage in accordance with WD01 rules and procedures and reassigned to AFRD2 in 2013 not to exceed an amount of 17,318 acre-feet obligation and in satisfaction of the 2012 Order as it now exists unless such obligation is altered by administrative or judicial order.

This information should fulfill the Director's requirement as set forth in the 2012 Final Order as it now exists unless the same is altered by administrative or judicial order.

Dated this 14th day of December, 2012.

10th

RACINE OLSON NYE BUDGE & BAILEY



RANDALL C. BUDGE

CANDICE M. McHUGH

Attorneys for the Ground Water Users

ARKOOSH EIGUREN LLC



C. Thomas Arkoosh
Attorney for AFRD2

CERTIFICATE OF SERVICE

I hereby certify that on this ~~14th~~^{10th} day of December, 2012, I served a true and correct copy of the foregoing by delivering it to the following individuals by the method indicated below, addressed as stated:

<p>Gary Spackman, Director - Original c/o Deborah Gibson Idaho Department of Water Resources P.O. Box 83720 Boise, Idaho 83720-0098 Fax: 208-287-6700 Deborah.gibson@idwr.idaho.gov garrick.baxter@idwr.idaho.gov chris.bromley@idwr.idaho.gov</p>	<p><input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input checked="" type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email</p>
<p>C. Tom Arkoosh Arkoosh Law Offices, Chtd. 301 Main Street; P.O. Box 32 Gooding, ID 83330 tarkoosh@capitolawgroup.net</p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email</p>
<p>W. Kent Fletcher Fletcher Law Office P.O. Box 248 Burley, Idaho 83318-0248 wkf@pmt.org</p>	<p><input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email</p>
<p>John A. Rosholt Travis L. Thompson Paul L. Arrington Barker, Rosholt & Simpson 195 River Vista Pl., Suite 204 Twin Falls, ID 83301-3029 jar@idahowaters.com tlt@idahowaters.com pla@idahowaters.com</p>	<p><input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email</p>
<p>Kathleen Marion Carr U.S. Department of the Interior 960 Broadway, Ste 400 Boise, Idaho 83706 kathleenmarion.carr@sol.joi.gov</p>	<p><input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email</p>

<p>David W. Gehlert Natural Resources Section Environment and Natural Resources Division U.S. Dept of Justice 999 18th St. South Terrace, Suite 370 Denver, CO 80202 david.gehlert@usdoj.gov</p>	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email
<p>Matt J. Howard U.S. Bureau of Reclamation Pacific Northwest Region 1150 N. Curtis Road Boise, ID 83706-1234 mhoward@pn.usbr.gov</p>	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email
<p>Sarah H. Klahn Mitra Pemberton White & Jankowski 511 16th Street, Ste 500 Denver, CO 80202 sarahk@white-jankowski.com</p>	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email
<p>Michael C. Creamer Jeffrey C. Fereday Givens Pursley P.O. Box 2720 Boise, Idaho 83701-2720 mcc@givenspursley.com jcf@givenspursley.com</p>	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email
<p>Dean Tranmer City of Pocatello P.O. Box 4169 Pocatello, Idaho 83205 dtranmer@pocatello.us</p>	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email
<p>William A. Parsons Parsons Smith & Stone PO Box 910 Burley, ID 83318 wparsons@pmt.org</p>	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email


Candice M. McHugh

REVISED CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of December, 2012, I served a true and correct copy of the foregoing by delivering it to the following individuals by the method indicated below, addressed as stated:

<p>Gary Spackman, Director - Original c/o Deborah Gibson Idaho Department of Water Resources P.O. Box 83720 Boise, Idaho 83720-0098 Fax: 208-287-6700 Deborah.gibson@idwr.idaho.gov garrick.baxter@idwr.idaho.gov chris.bromley@idwr.idaho.gov</p>	<p><input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input checked="" type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email</p>
<p>C. Thomas Arkoosh ARKOOSH EIGUREN LLC PO Box 2900 Boise, Idaho 83701 Tom.arkoosh@aelawlobby.com</p>	<p><input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email</p>
<p>W. Kent Fletcher Fletcher Law Office P.O. Box 248 Burley, Idaho 83318-0248 wkf@pmt.org</p>	<p><input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email</p>
<p>John A. Rosholt Travis L. Thompson Paul L. Arrington Barker, Rosholt & Simpson 195 River Vista Pl., Suite 204 Twin Falls, ID 83301-3029 jar@idahowaters.com tlt@idahowaters.com pla@idahowaters.com</p>	<p><input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email</p>
<p>Kathleen Marion Carr U.S. Department of the Interior 960 Broadway, Ste 400 Boise, Idaho 83706 kathleenmarion.carr@sol.joi.gov</p>	<p><input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email</p>

<p>David W. Gehlert Natural Resources Section Environment and Natural Resources Division U.S. Dept of Justice 999 18th St. South Terrace, Suite 370 Denver, CO 80202 david.gehlert@usdoj.gov</p>	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email
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<p>Sarah H. Klahn Mitra Pemberton White & Jankowski 511 16th Street, Ste 500 Denver, CO 80202 sarahk@white-jankowski.com</p>	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email
<p>Michael C. Creamer Jeffrey C. Fereday Givens Pursley P.O. Box 2720 Boise, Idaho 83701-2720 mcc@givenspursley.com jcf@givenspursley.com</p>	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email
<p>Dean Tranmer City of Pocatello P.O. Box 4169 Pocatello, Idaho 83205 dtranmer@pocatello.us</p>	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email
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