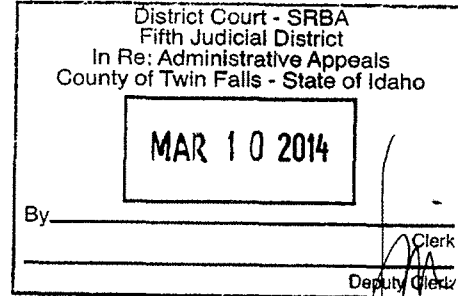


LAWRENCE G. WASDEN
ATTORNEY GENERAL

CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division

GARRICK L. BAXTER, ISB #6301
Deputy Attorney General
Idaho Department of Water Resources
P. O. Box 83720
Boise, Idaho 83720-0098
Telephone: (208) 287-4800
Facsimile: (208) 287-6700
garrick.baxter@idwr.idaho.gov



Attorneys for Respondents

**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.,)

Petitioner,)

vs.)

CITY OF POCA TELLO,)

Petitioner,)

vs.)

TWIN FALLS CANAL COMPANY, NORTH)
SIDE CANAL COMPANY, A&B IRRIGATION)
DISTRICT, A&B IRRIGATION DISTRICT,)
AMERICAN FALLS RESERVOIR DISTRICT #2,)
BURLEY IRRIGATION DISTRICT,)
MILNER IRRIGATION DISTRICT,)
and MINIDOKA IRRIGATION DISTRICT,)

Petitioners,)

vs.)

Case No. CV-2010-382

(consolidated Gooding County
Cases CV-2010-382, CV-2010-383,
CV-2010-384, CV-2010-387,
CV-2010-388, Twin Falls
County Cases CV-2010-3403,
CV-2010-5520, CV-2010-5946, CV-2012-
2096, CV-2013-2305, CV-2013-4417, and
Lincoln County Case CV-2013-155)

**NOTICE OF LODGING
SUPPLEMENTAL AGENCY
RECORD WITH THE AGENCY**

GARY SPACKMAN, in his official capacity as)
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)

TO: THE DISTRICT COURT AND PARTIES OF RECORD

YOU ARE HEREBY NOTIFIED, pursuant to I.R.C.P. 84(j), that the supplement to the agency record¹, having been prepared pursuant to I.R.C.P 84(f), is lodged with the agency for the purpose of settlement in accordance with I.R.C.P. 84(j). Since the issuance of the *Order Settling the Agency Transcript and Record* on December 17, 2010, there have been no additional hearings held in this matter before the agency, therefore no additional transcripts have been added to the record in this proceeding. This supplement contains the subsequent agency record up to the *Order Adopting IGWA's Amended Notice of Secured Water* issued on February 3, 2014.

¹ The agency record and transcript in this matter was originally lodged with the District Court on December 17, 2010. *Notice of Lodging Transcripts and Records with the District Court* (December 17, 2010). Subsequently, additional cases were consolidated with this case. Twin Falls County Case Nos. CV-2010-5520 and CV-2010-5946 were consolidated by separate orders titled *Order Consolidating Proceeding Into Gooding County Case No. CV-2010-382; Order Granting Motion for Stay*, both issued on January 3, 2011. Twin Falls County Case Nos. CV-2012-2096, CV-2013-2305, CV-2013-4417, and Lincoln County Case No. CV-2013-155 were consolidated with CV-2010-382 pursuant to the *Order Granting Motions to Consolidate* issued on November 12, 2013. This supplemental record is necessary because there are documents related to these subsequently consolidated cases that were not included in the previous record. To simplify the record for the Court and the Parties, the DVD being provided to the parties and the copies of the record that will be provided to the Court contain the agency record as lodged with the Court on December 17, 2010, plus the documents related to the subsequently consolidated cases.

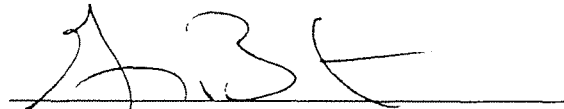
A DVD containing the contents of the supplemental record is now available to the Petitioners at the agency's office and has been served by mail with a copy of this notice to the parties' attorneys of record. The actual preparation cost of the record is \$36.95 (.01 per page). The agency does not anticipate any further charges affiliated with the continued preparation of the record. However, the agency will inform Petitioners immediately should additional charges be incurred.

The parties have fourteen (14) days from the date of the mailing of this notice in which to file any objections to the transcript and record. If no objections are filed within that time, the record and transcript shall be deemed settled. The agency's decision on any objection timely filed along with all evidence, exhibits and written presentation of the objection shall be included in the record. Thereafter, the agency shall lodge the settled record with the district court pursuant to I.R.C.P. 84(k).

DATED this 7th day of March, 2014.

LAWRENCE G. WASDEN
Attorney General

CLIVE J. STRONG
Deputy Attorney General
CHIEF, NATURAL RESOURCES DIVISION



GARRICK L. BAXTER
Deputy Attorney General
Idaho Department of Water Resources

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of March, 2014, I caused a true and correct copy of the foregoing document to be filed with the Court and served on the following parties by the methods indicated:

Original to:
SRBA Court
253 3rd Ave. North
P.O. Box 2707
Twin Falls, ID 83303-2707
Facsimile: (208) 736-2121

- U.S. Mail, postage prepaid
- Hand Delivery
- Overnight Mail
- Facsimile

John A. Rosholt
John K. Simpson
Travis L. Thompson
Paul L. Arrington
BARKER ROSHOLT & SIMPSON, LLP
196 River Vista Place, Suite 204
Twin Falls, Idaho 83301-3029
jks@idahowaters.com
jt@idahowaters.com
pla@idahowaters.com

- U.S. Mail, postage prepaid
- Hand Delivery
- Overnight Mail
- Facsimile
- Email

C. Thomas Arkoosh
ARKOOSH LAW OFFICES
P.O. Box 2900
Boise, ID 83701-2900
tom.arkoosh@arkoosh.com

- U.S. Mail, postage prepaid
- Hand Delivery
- Overnight Mail
- Facsimile
- Email

W. Kent Fletcher
FLETCHER LAW OFFICE
P.O. Box 248
Burley, ID 83318
wkf@pmt.org

- U.S. Mail, postage prepaid
- Hand Delivery
- Overnight Mail
- Facsimile
- Email

Randall C. Budge
Thomas J. Budge
RACINE OLSON NYE BUDGE
& BAILEY, CHARTERED
P.O. Box 1391
Pocatello, ID 83204-1391
reb@racinelaw.net
tjb@racinelaw.net


- U.S. Mail, postage prepaid
- Hand Delivery
- Overnight Mail
- Facsimile
- Email

A. Dean Tranmer
City of Pocatello
P.O. Box 4169
Pocatello, ID 83201
dtranmer@pocatello.us

- U.S. Mail, postage prepaid
- Hand Delivery
- Overnight Mail
- Facsimile
- Email

Sarah A. Klahn
Mitra Pemberton
WHITE & JANKOWSKI LLP
511 Sixteenth Street, Suite 500
Denver, CO 80202
sarahk@white-jankowski.com
mitrap@white-jankowski.com

- U.S. Mail, postage prepaid
- Hand Delivery
- Overnight Mail
- Facsimile
- Email



GARRICK L. BAXTER
Deputy Attorney General

