

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

IN THE MATTER OF THE )  
PETITION FOR DELIVERY CALL )  
OF A&B IRRIGATION DISTRICT )  
FOR THE DELIVERY OF GROUND )  
WATER AND FOR THE CREATION )  
OF A GROUND WATER )  
MANAGEMENT AREA )

\_\_\_\_\_)  
A&B IRRIGATION DISTRICT )  
Petitioner-Appellant, )

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

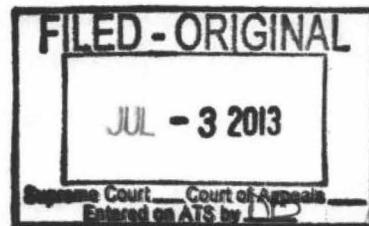
Respondents, )  
and )

THE CITY OF POCA TELLO and )  
IDAHO GROUND WATER )  
APPROPRIATORS, INC., )  
Intervenors. )

**Supreme Court  
Docket No. 41069-2013**

**Minidoka County  
Case No. 2011-000512**

**CLERK'S CERTIFICATE  
OF APPEAL**



**APPEAL FROM:** Fifth Judicial District, Minidoka County,  
Honorable Eric J. Wildman, presiding<sup>1</sup>

**CASE NUMBER FROM COURT:** CV-2011-000512

**ORDER OR JUDGMENT APPEALED FROM:** *Memorandum Decision on Petition for  
Judicial Review*  
(filed April 25, 2013)

**APPEALED BY:** A&B IRRIGATION DISTRICT

**ATTORNEYS FOR PETITIONER-APPELLANT:** John K. Simpson, Travis L. Thompson,  
Paul L. Arrington, Sarah W. Higer  
BARKER ROSHOLT & SIMPSON, LLP  
PO Box 485  
Twin Falls, Idaho 83303-0485  
*(Attorneys for A&B Irrigation District)*

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

**ATTORNEYS FOR RESPONDENTS:** Garrick Baxter  
Chris Bromley  
Deputy Attorneys General  
Idaho Department of Water Resources  
PO Box 83720  
Boise, ID 83720-0098

**NOTICE OF APPEAL FILED:** June 4, 2013

**APPELLATE FEE PAID:** \$94.00

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<sup>1</sup> This matter was reassigned to this Court on June 27, 2011, by the Clerk of the Court for Minidoka County, pursuant to *Idaho Supreme Court Administrative Order*, dated December 9, 2009.

**WAS A DISTRICT COURT  
REPORTER'S TRANSCRIPT  
REQUESTED?**

No

**DATED:** July 3, 2013



*Julie Murphy*  
\_\_\_\_\_  
JULIE MURPHY  
Deputy Clerk of the Court