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IDAHO SUPREME COURT
COURT OF APPEALS

2014 DEC 31 AM 9:15

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

IN THE MATTER OF THE)
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.)

IDAHO GROUND WATER)
APPROPRIATORS, INC.,)

Petitioner-Appellant,)

vs.)

CITY OF POCATELLO,)

Petitioner-Respondent,)

vs.)

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

Petitioners-Respondents,)

Supreme Court
Docket No. 42776

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)

**CLERK'S CERTIFICATE
OF APPEAL**

FILED - ORIGINAL
DEC 31 2015
Supreme Court _____ Court of Appeals _____
Entered on ATS by _____

vs.)
)
 GARY SPACKMAN, in his capacity as)
 Director of the Idaho Department of)
 Water Resources, and the IDAHO)
 DEPARTMENT OF WATER)
 RESOURCES,)
)
 Respondents-Respondents.)
)
)
 _____)

APPEAL FROM: Fifth Judicial District, Twin Falls County,
 Honorable Eric J. Wildman, presiding¹

CASE NUMBER FROM COURT: CV-2010-382

ORDER OR JUDGMENT APPEALED FROM: *Memorandum Decision and Order on Petitions for Judicial Review* (filed September 26, 2014) and *Order Denying Petitions for Rehearing* (filed November 17, 2014)

APPEALED BY: IDAHO GROUND WATER APPROPRIATORS, INC.

ATTORNEYS FOR PETITIONER-APPELLANT: Randall C. Budge
 Thomas J. Budge
 RACINE OLSON NYE BUDGE & BAILEY
 PO Box 1391
 Pocatello, ID 83204

¹ This matter was reassigned to this Court on March 26, 2014, by the Clerk of the Court for Twin Falls County, pursuant to *Idaho Supreme Court Administrative Order*, dated December 9, 2009.

APPEALED AGAINST:

CITY OF POCA TELLO

**ATTORNEYS FOR
PETITIONER-RESPONDENT:**

Sarah A. Klahn
Mitra Pemberton
WHITE & JANKOWSKI, LLP
511 16th St Ste 500
Denver, CO 80202

APPEALED AGAINST:

TWIN FALLS CANAL COMPANY, NORTH
SIDE CANAL COMPANY, A&B IRRIGATION
DISTRICT, BURLEY IRRIGATION DISTRICT
MILNER IRRIGATION DISTRICT

**ATTORNEYS FOR
PETITIONERS-RESPONDENTS:**

Travis L. Thompson
BARKER, ROSHOLT & SIMPSON, LLP
195 River Vista Pl
Twin Falls, ID 83301-3029

APPEALED AGAINST:

AMERICAN FALLS RESERVOIR DISTRICT
#2 and MINIDOKA IRRIGATION DISTRICT

**ATTORNEY FOR
PETITIONERS-RESPONDENTS:**

Kent W. Fletcher
1200 Overland Ave
Burley, ID 83318

APPEALED AGAINST:

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

ATTORNEYS FOR RESPONDENTS:

Garrick Baxter
Michael C. Orr
Deputy Attorneys General
Idaho Department of Water Resources
PO Box 83720
Boise, ID 83720-0098

NOTICE OF APPEAL FILED:

December 24, 2014

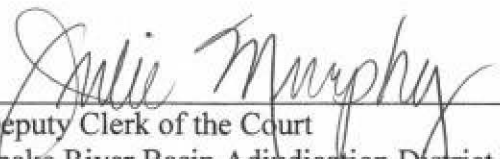
APPELLATE FEE PAID:

\$129.00

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

No

DATED: December 30, 2014



Deputy Clerk of the Court
Snake River Basin Adjudication District Court