

2014 DEC 31 AM 8:57

**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-Respondent,

v.

THE CITY OF POCA TELLO,

Petitioner-Appellant,

v.

TWIN FALLS CANAL COMPANY, NORTH
SIDE CANAL COMPANY, A&B
IRRIGATION DISTRICT, AMERICAN
FALLS RESERVOIR DISTRICT #2,
BURLEY IRRIGATION DISTRICT,
MILNER IRRIGATION DISTRICT,
MINIDOKA IRRIGATION DISTRICT,
GARY SPACKMAN, IDAHO
DEPARTMENT OF WATER RESOURCES,

Petitioners-Respondents,

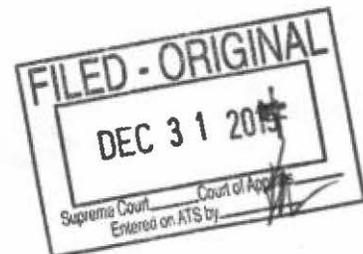
v.

Supreme Court
Docket No. 42778

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**



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 and Judgment*
(filed September 26, 2014), *Order Denying
Motion to Alter or Amend Judgment* and
Order Denying Petitions for Rehearing
(filed November 17, 2014)

APPEALED BY:

CITY OF POCA TELLO

**ATTORNEYS FOR
PETITIONER:**

Sarah A. Klahn
A. Dean Tranmer
Mitra Pemberton

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.

WHITE & JANKOWSKI, LLP
511 16th St Ste 500
Denver, CO 80202

APPEALED AGAINST:

IDAHO GROUND WATER
APPROPRIATORS, INC.

**ATTORNEYS FOR PETITIONER:
RESPONDENT:**

Randall C. Budge
Thomas J. Budge
RACINE OLSON NYE BUDGE & BAILEY
PO Box 1391
Pocatello, ID 83204

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 30, 2014

APPELLATE FEE PAID: Exempt

**WAS A DISTRICT COURT
REPORTER'S TRANSCRIPT
REQUESTED?** No

DATED: December 30, 2014



Deputy Clerk of the Court
Snake River Basin Adjudication District Court