

**BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE STATE OF IDAHO**

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

CM-DC-2011-001

**ORDER VACATING THE  
FINAL ORDER ON REMAND  
REGARDING THE A&B IRRIGATION  
DISTRICT DELIVERY CALL ENTERED  
APRIL 27, 2011**

The matter comes before the Director (“Director”) of the Idaho Department of Water Resources as a result of a remand from the Fifth Judicial District Court, in and for the County of Minidoka, of the Director’s April 27, 2011 *Final Order on Remand Regarding the A&B Irrigation District Delivery Call* (“April 2011 Final Order”).

On January 8, 2014, the Idaho Supreme Court issued the *Order Granting Stipulation to Dismiss* the appeal, Idaho Supreme Court Docket No. 41069-2013, in accordance with the terms and conditions stipulated to by certain parties in the *Stipulation to Dismiss Appeal* (“Stipulation”) entered on December 4, 2013. In the Stipulation, certain parties agreed that the matter should be remanded to the District Court with instructions to vacate the April 2011 Final Order.

On February 10, 2014, the Honorable Eric J. Wildman issued the *Amended Remittitur* ordering the Director to vacate the April 2011 Final Order per the Stipulation.

**ORDER**

IT IS HEREBY ORDERED that the April 2011 Final Order is hereby vacated.

Dated this 18<sup>th</sup> day of February, 2014.

  
\_\_\_\_\_  
GARY SPACKMAN  
Director

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18<sup>th</sup> day of February, 2014, I served a true and correct copy of the ORDER VACATING THE FINAL ORDER ON REMAND REGARDING THE A&B IRRIGATION DISTRICT DELIVERY CALL ENTERED APRIL 27, 2011 on the following parties by the methods indicated:

*Courtesy Copy to:*

SRBA Court  
253 3<sup>rd</sup> 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](mailto:jks@idahowaters.com)  
[tlt@idahowaters.com](mailto:tlt@idahowaters.com)  
[pla@idahowaters.com](mailto:pla@idahowaters.com)

- 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  
[rcb@racinelaw.net](mailto:rcb@racinelaw.net)  
[tjb@racinelaw.net](mailto:tjb@racinelaw.net)

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

Jerry R. Rigby  
RIGBY ANDRUS & RIGBY, CHTD.  
P.O. Box 250  
Rexburg, ID 83440-0250  
[jrigby@rex-law.com](mailto:jrigby@rex-law.com)

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

Sarah A. Klahn  
Mitra Pemberton  
White & Jankowski, LLP  
511 Sixteenth Street, Ste. 500  
Denver, CO 80202  
[sarahk@white-jankowski.com](mailto:sarahk@white-jankowski.com)  
[mitrap@white-jankowski.com](mailto:mitrap@white-jankowski.com)

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



Deborah Gibson  
Idaho Department of Water Resources