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District Court - SRBA Fifth Judicial District In Re: Administrative Appeals County of Twin Falls - State of Idaho	
OCT 22 2010	
By _____	Clerk
_____	Deputy Clerk

**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.,

Petitioners,

vs.

GARY SPACKMAN, in his capacity as Interim
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

Case No.: CV-2010-382
(consolidated Gooding County Cases CV-
2010-382, CV-2010-383, CV-2010-384, CV-
2010-387, CV-2010-388, and Twin Falls
County Case CV-2010-3403)

**GROUND WATER USERS'
SUPPLEMENT TO OBJECTION TO
AGENCY TRANSCRIPT & RECORD**

IDAHO GROUND WATER APPROPRIATORS, INC., acting for and on behalf of their
members (collectively the "Ground Water Users"), through counsel, pursuant to Rule 84(j) of the

Idaho Rules of Civil Procedure and paragraphs 6 and 8 of the Court's *Procedural Order Governing Judicial Review Of Final Order Of Director Of Idaho Department Of Water Resources* filed in Gooding County Case No. CV-2010-382 and the *Order Approving Extension of Time to Lodge Agency Transcript and Record* dated August 3, 2010, submit this *Supplement to Objection to Agency Record & Transcript*. The basis for this supplemental objection is as follows:

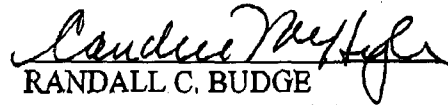
As mentioned in the *Ground Water Users' Objection to Agency Transcript & Record and Request for Extension of Time* filed on October 15, 2010, ("Ground Water Users' Objection") the cd that the Ground Water Users originally received from the Idaho Department of Water Resources ("IDWR") was incomplete and not the official agency record. Counsel for the Ground Water Users received the correct and official copy of the agency record on a cd from IDWR on October 19, 2010. It is counsel's understanding that the correct cd is the official agency record in this matter. Based on review of the contents on the correct cd, the Ground Water Users object to the inclusion of the documents for the *Mitigation Plan Hearing Transcript & Exhibits* contained in the "20100624 Letter Enclosure" folder on the cd.

Additionally, as previously addressed in the Ground Water Users' Objection, the record established in the Surface Water Coalition Delivery call in the *A & B Irrigation District, et al. v. Spackman, et al.*, Gooding County Case No. 2008-551 ("551" Case) should be incorporated and made a part of this agency record. Among other relevant documents, the 551 Case includes the Director's final order in the delivery call case from which the methodology and as-applied proceedings originate.

Based on the foregoing, IGWA requests that the Mitigation Plan Hearing Transcript & Exhibits be removed from this record and that the full agency record in the 551 Case as well as the pleadings, briefs and orders on file or lodged with the Court in the 551 Case be included.

DATED this 22nd day of October, 2010

RACINE, OLSON, NYE, BUDGE &
BAILEY, CHARTERED


RANDALL C. BUDGE
CANDICE M. MCHUGH
THOMAS J. BUDGE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 22nd day of October, 2010, the above and foregoing document was served in the following manner.

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