

District Court - SRBA  
 Fifth Judicial District  
 In Re: Administrative Appeals  
 County of Twin Falls - State of Idaho

**APR 25 2013**

By \_\_\_\_\_ Clerk  
 \_\_\_\_\_ Deputy Clerk

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

A & B IRRIGATION DISTRICT ) Case No. CV 2011-512

Petitioner, )  
 ) **JUDGMENT**  
 ) **I.R.C.P. 54(a)**

vs. )

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

Respondents, )

and )

THE IDAHO GROUND WATER )  
 APPROPRIATORS, INC., and THE CITY OF )  
 POCATELLO, )

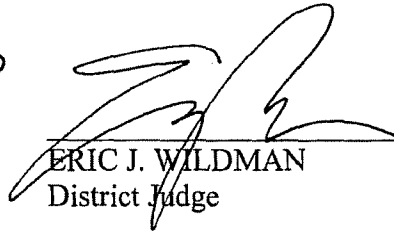
Respondents-Intervenors. )

\_\_\_\_\_  
 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 )  
 \_\_\_\_\_ )

Pursuant to the *Memorandum Decision and Order on Petition for Judicial Review* (“*Memorandum Decision*”) entered by this Court in the above-captioned matter concurrently with this *Judgment*,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the *Second Amended Petition for Judicial Review* filed by the Petitioner on October 30, 2012, is hereby dismissed in part with prejudice and to those matters not dismissed the *Final Order on Remand Regarding the A&B Irrigation District Delivery Call* issued on April 27, 2011, by Director Gary Spackman in IDWR Docket No. CM-DC-2011-001 is affirmed consistent with this Court’s *Memorandum Decision*. The City of Pocatello’s and the Idaho Ground Water Appropriators, Inc.’s request for attorney’s fees is denied.

Dated April 25, 2013

  
ERIC J. WILDMAN  
District Judge

CERTIFICATE OF MAILING

I certify that a true and correct copy of the JUDGMENT was mailed on April 25, 2013, with sufficient first-class postage to the following:

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