

requested the addition of 14 documents from the record in this proceeding as well as 34 documents from the record in Minidoka County Case No. CV-2009-647. The City of Pocatello has requested the addition of 10 documents from the record in Minidoka County Case No. CV-2009-647.

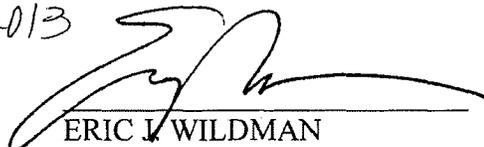
On September 3, 2012, the Idaho Department of Water Resources (“Department”) filed its *Response* to the *Objections*. In its *Response*, the Department indicated that it has no objections to the addition of the documents requested by the A&B Irrigation District and the City of Pocatello so long as three additional documents from Minidoka County Case No. CV-2009-647 are also included in the clerk’s record on appeal. A hearing on the *Objections* was held before this Court on September 9, 2013. No one appeared in opposition to any of the requests to add further documents to the clerk’s record on appeal. The Court further notes that the documents requested were either a part of the record before this Court in the above-captioned matter or a part of the record in Minidoka County Case No. 2009-647, which is closely related to this case and which was relied upon by this Court in its decision in this case.

That said, documents 1 through 9 and 13 requested in the A&B Irrigation District’s *Objection* to the clerk’s record on appeal, pertaining to the record in this matter, are already included in the clerk’s record on appeal pursuant to the Idaho Supreme Court’s June 7, 2013, *Order Augmenting Appeal*, and will not be added again. That *Order* directed the Clerk of the Court to augment the appeal record in this matter with the appeal record from Supreme Court Docket No. 39196.

THEREFORE, THE FOLLOWING ARE HEREBY ORDERED:

1. The A&B Irrigation District’s request for additional record in this matter is hereby granted, except for its request to add documents 1 through 9 and 13, pertaining to the record in this matter, set forth in its *Objection* since those documents are already included in the clerk’s record on appeal.
2. The City of Pocatello’s request for additional record is hereby granted.
3. The Department’s request for additional record is hereby granted.

Dated: September 9, 2013


ERIC J. WILDMAN
District Judge

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER ON OBJECTIONS TO CLERK'S RECORD ON APPEAL was mailed on September 09, 2013, with sufficient first-class postage to the following:

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