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*Attorneys for American Falls Reservoir
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**IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA**

BASIN 33 WATER USERS, a coalition of
water right holders, and the UPPER VALLEY
WATER USERS, a coalition of water right
holders,

Petitioners,

vs.

SURFACE WATER COALITION, a coalition
of water right holders,

Cross-Petitioner,

vs.

THE IDAHO DEPARTMENT OF WATER
RESOURCES,

Respondent.

Case No. CV01-20-8069

**SURFACE WATER COALITION'S
NOTICE OF SUPPLEMENTAL AUTHORITY**

**IN THE MATTER OF DESIGNATING THE
EASTERN SNAKE PLAIN AQUIFER
GROUND WATER MANAGEMENT AREA**

COME NOW, A&B IRRIGATION DISTRICT, AMERICAN FALLS RESEVOIR DISTRICT #2, BURLEY IRRIGATION DISTRICT, MILNER IRRIGATION DISTRICT, MINIDOKA IRRIGATION DISTRICT, NORTH SIDE CANAL COMPANY, and TWIN FALLS CANAL COMPANY (hereinafter “Cross-Petitioners,” “Surface Water Coalition,” or “Coalition”), by and through their attorneys of record, BARKER ROSHOLT & SIMPSON LLP, and FLETCHER LAW OFFICE, and hereby submit this *Notice of Supplemental Authority* in support of its Cross-Petition filed in this matter.

Attached hereto as Exhibit A are the following documents referenced in footnote 13 at page 12 of the *Surface Water Coalition’s Cross-Petition / Response Brief* filed in this matter on September 10, 2020:

- 1) *Order Granting Motion to Dismiss*
- 2) *IGWA’s Motion to Withdraw Notice of Appeal*
- 3) *City of Pocatello’s Motion to Withdraw Notice of Appeal*

DATED this 15th day of October, 2020.

FLETCHER LAW OFFICE

 for

W. Kent Fletcher

*Attorneys for American Falls Reservoir
District #2 & Minidoka Irrigation District*

BARKER ROSHOLT & SIMPSON LLP



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 15th day of October, 2020, I served true and correct copies of the foregoing upon the following by the method indicated:

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Travis L. Thompson

Exhibit

A

IDAHO SUPREME COURT



IDAHO COURT OF APPEALS

Clerk of the Courts
(208) 334-2210

P.O. Box 83720
Boise, Idaho 83720-0101

ORDER GRANTING MOTION TO DISMISS

Docket No. 42776-2015) IGWA v. CITY OF POCA TELLO
Snake River Basin Adjudication #CV-2010-382

An Appellant's MOTION TO DISMISS / WITHDRAW APPEAL having been filed on April 20, 2015; therefore, good cause appearing, IT IS HEREBY ORDERED that Appellant's MOTION TO WITHDRAW APPEAL is ** GRANTED, ** and this appeal is hereby ** DISMISSED *with prejudice.* **

Dated this 20th day of April, 2015.

For the Supreme Court / Court of Appeals

A handwritten signature in black ink that reads "Stephen Kenyon".

/s/ STEPHEN W. KENYON, Clerk

cc: Counsel of Record
Clerk, SRBA DC, Julie Murphy
District Court Judge, Eric J. Wildman

For the Court:
Stephen W. Kenyon
Clerk of the Courts

04/20/2015 SV

Randall C. Budge (ISB# 1949)
Thomas J. Budge (ISB# 7465)
Joseph G. Ballstaedt (ISB #9246)
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Attorneys for IGWA

IDAHO SUPREME COURT

IDAHO GROUND WATER
APPROPRIATORS, INC.

Petitioner / Appellant,

vs.

CITY OF POCATELLO,

Petitioner / Respondent,

vs.

TWIN FALLS CANAL COMPANY,
NORTH SIDE CANAL COMPANY, A&B
IRRIGATION DISTRICT, AMERICAN
FALLS RESERVOIR DISTRICT #2,
BURLEY IRRIGATION DISTRICT,
MILNER IRRIGATION DISTRICT, and
MINIDOKA IRRIGATION DISTRICT,

Petitioners / Respondents,

vs.

GARY SPACKMAN, in his capacity as Di-
rector of the Idaho Department of Water
Resources, and the IDAHO DEPART-
MENT OF WATER RESOURCES,

Respondents / Respondents.

Docket No. 42776-2015

(SRBA Case No. CV-2010-382)

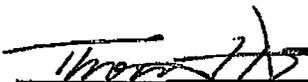
**IGWA's Motion to
Withdraw Notice of Appeal**

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. (IGWA) hereby moves the Court pursuant to Idaho Appellate Rule 32(b) to authorize the withdrawal of its *Notice of Appeal* filed December 24, 2014, allowing Docket No. 42776-2015 to be dismissed with prejudice. No briefs have been filed and oral argument has not yet been scheduled for this appeal.

DATED this 17th day of April, 2015.

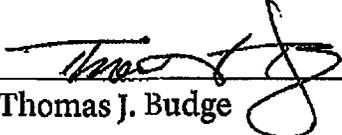
RACINE OLSON NYE BUDGE
& BAILEY, CHARTERED



Randall C. Budge
Thomas J. Budge

CERTIFICATE OF SERVICE

I certify that on this 17th day of April, 2015, a true and correct copy of the foregoing document was served on the following persons in the manner indicated:



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SRBA District Court 253 3 rd Ave North P.O. Box 2707 Twin Falls, ID 83303-2707 jmurphy@idcourts.net	<input type="checkbox"/> U.S. Mail <input checked="" type="checkbox"/> Facsimile (208) 736-2121 <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email
Garrick L. Baxter IDAHO DEPT. OF WATER RESOURCES P.O. Box 83720 Boise, Idaho 83720-0098 garrick.baxter@idwr.idaho.gov kimi.white@idwr.idaho.gov	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email
W. Kent Fletcher FLETCHER LAW OFFICE P.O. Box 248 Burley, Idaho 83318-0248 wkf@pmt.org	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email
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SIDE CANAL COMPANY, A&B)
IRRIGATION DISTRICT, AMERICAN)
FALLS RESERVOIR DISTRICT #2,)
BURLEY IRRIGATION DISTRICT,)
MILNER IRRIGATION DISTRICT,)
MINIDOKA IRRIGATION DISTRICT,)

Petitioners-Respondents,)

v.)

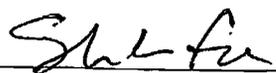
GARY SPACKMAN, in his capacity as)
Director of the Idaho Department of Water)
Resources, and THE IDAHO DEPARTMENT)
OF WATER RESOURCES,)

Respondents-Respondents.)

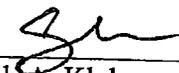
COMES NOW, Appellant City of Pocatello, and hereby moves the Court pursuant to Idaho Appellate Rule 32 to authorize the withdrawal of its *Notice of Appeal*, filed December 30, 2014. Accordingly, Docket No. 42778-2015 should be dismissed. City of Pocatello reserves the right to participate in Docket No. 42776-2015 as a respondent.

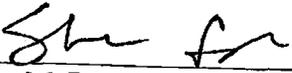
Respectfully submitted this 22nd day of January, 2015.

CITY OF POCA TELLO ATTORNEY'S OFFICE

By 
A. Dean Tranmer

WHITE & JANKOWSKI, LLP

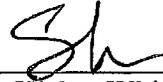
By 
Sarah A. Klahn

By 
Mitra M. Pemberton

ATTORNEYS FOR CITY OF POCA TELLO

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of January, 2015, I caused to be served a true and correct copy of the foregoing **City of Pocatello's Motion to Withdraw Notice of Appeal** in Idaho Supreme Court Docket Nos. 42776-2015 and 42778-2015 upon the following by the method indicated below:



 Sarah Klahn, White & Jankowski, LLP

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