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DEPARTMENT OF  
WATER RESOURCES

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*Attorneys for Respondents*

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

IN THE MATTER OF THE PETITION FOR  
ADMINISTRATION BY 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

**GROUND WATER USERS' AMENDED  
ANSWER TO PETITION FOR WATER RIGHT  
ADMINISTRATION AND DESIGNATION OF  
ESPA AS A GROUND WATER  
MANAGEMENT AREA**

Idaho Ground Water Appropriators, Inc. ("IGWA"), its ground water district members, Aberdeen-American Falls Ground Water District, Magic Valley Ground Water District, Bingham Ground Water District, North Snake Ground Water District, Bonneville-Jefferson Ground Water District, Southwest Irrigation District, Madison Ground Water District and those persons listed in Exhibit A and Exhibit B attached hereto and incorporated herein (collectively "Respondents" or "Ground Water Users") through their counsel Givens Pursley LLP hereby submit this amended joint response ("Amended Answer") to the *Petition for Water Right Administration and Designation of the Eastern Snake Plain Aquifer as a Ground Water Management Area* dated

January 14, 2005 and filed by A&B Irrigation District, Milner Irrigation District, Minidoka Irrigation District, Burley Irrigation District, American Falls Reservoir District #2, North Side Canal Company and Twin Falls Canal Company (collectively, "Petitioners").

This Amended Answer is filed pursuant to Department Rule of Procedure 305 and I.R.C.P. 15 to include the additional Respondents listed in Exhibit B attached hereto. These additional Respondents are holders of ground water rights who were served with Notices of Petition by the Petitioners. No responsive pleading to the original answer has been filed, no hearing date has yet been set, and this Amended Answer is filed less than twenty days after the original Answer. Further, no party will be prejudiced by the filing of this Amended Answer.

#### ANSWERS TO ALLEGATIONS IN PETITION

1. Respondents are without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraphs 1-15 of the Petition and therefore deny the same.

2. In answer to paragraph 16 of the Petition, Respondents are without knowledge or information sufficient to form a belief as to the truth of the allegations of the first sentence of paragraph 16 or the information depicted in Exhibit A to the Petition, and therefore, deny the same. The remaining allegations contained in paragraph 16 are denied.

3. In answer to paragraphs 18 and 19 of the Petition, Respondents object on the basis that these paragraphs call for conclusions of law to which no response is required. Without waiving such objection, Respondents deny all allegations of paragraphs 18 and 19.

4. Respondents are without knowledge or information sufficient to form a belief as to the truth of the allegation of paragraph 20 of the Petition and therefore deny the same, including a specific denial that Respondents are causing material injury to the rights of Petitioners.

5. In answer to paragraph 21 of the Petition, Respondents object on the basis that the paragraph calls for conclusions of law to which no response is required. Without waiving such objection, Respondents admit the ESPA has been designated as an area of common ground water supply but deny the remaining allegations of this paragraph.

6. In answer to paragraph 22 of the Petition, Respondents object on the basis that the paragraph calls for conclusions of law to which no response is required and the Director's orders speak for themselves. Without waiving such objection, Respondents admit that the Director previously designated by Order a portion of the ESPA as the American Falls Ground Water Management Area, which Order subsequently was amended. Except as specifically admitted in this paragraph 6, Respondents deny the remaining allegations of paragraph 22.

7. In answer to paragraph 23 of the Petition, Respondents object on the basis that the paragraph calls for conclusions of law to which no response is required. Without waiving such objection, Respondents admit the Petitioners have filed a water right delivery call for administration of water rights in Water District 120, but deny the remaining allegations of paragraph 23.

8. Paragraph 24 of the Petition does not require an admission or denial.

#### AFFIRMATIVE DEFENSES

9. FIRST DEFENSE. Respondents deny each allegation of the Petition not specifically admitted herein.

10. SECOND DEFENSE. The Petition fails to state a claim upon which relief may be granted.

11. THIRD DEFENSE. Forfeiture and/or abandonment. Petitioners have forfeited and/or abandoned all or portions of the water rights they assert as the basis of the Petition for failure to beneficially use the full allocation of water.

12. FOURTH DEFENSE. Prematurity; Lack of Ripeness. Petitioners' action is prematurely brought and is not ripe for decision. No order granting Petitioners' requested relief may be issued except following a hearing before a duly appointed ground water board.

13. FIFTH DEFENSE. Violation of public policy. Petitioners' action is barred as a matter of public policy because Petitioners seek to curtail the necessary water supply to several hundred thousand acres of irrigated crop land in southern Idaho, with devastating impacts to Idaho's economy, yet this relief, if granted, would not likely produce meaningful supplies of water to Petitioners or significantly increase their irrigated acreage, if at all.

14. SIXTH DEFENSE. Unconstitutionality. The remedy Petitioners seek in the Petition would violate the Idaho constitutional requirement to maximize use of the water resources of the State of Idaho.

15. SEVENTH DEFENSE. Violation of Statute - Full Economic Development. The remedy Petitioners seek in the Petition would violate the stated policy of the State of Idaho of full economic development of ground water resources as enunciated in Idaho Code, Title 42, Chapter 2 and elsewhere.

16. EIGHTH DEFENSE. Futile Call. Curtailment of Respondents' water rights would not make water available at a time, place or in quantities so as to be beneficially used by Petitioners.

17. NINTH DEFENSE. Waste. The relief requested by Petitioners in the Petition would result in the impermissible waste of the State's water resources.

18. TENTH DEFENSE. Waiver. By affirmatively consenting to the Respondents' ground water appropriations and continued ground water diversions for periods in excess of fifty years, Petitioners have waived any right to pursue a delivery call against Respondents.

19. ELEVENTH DEFENSE. Laches; Unreasonable Delay. Petitioners are guilty of laches and unreasonable delay in bringing this action and in asserting any cause of action against Respondents or Respondents' water rights, and such laches and unreasonable delay were without good cause and substantially prejudiced Respondents.

20. TWELFTH DEFENSE. Estoppel. Petitioners are estopped from bringing this action because of, *inter alia*, Petitioners' failure to take preventive measures, their unreasonable delay in asserting their rights, if any, the Respondents' development of their water rights in reliance thereon, and the substantial detriment to Respondents that otherwise would occur.

21. THIRTEENTH DEFENSE. Unclean hands. To the extent that Petitioners' available water supply may be less than the quantities available under their original appropriations, such lessened supply is substantially the result of Petitioners' own voluntary actions, including but not limited to the elimination of Petitioners' winter water diversions, changes in Petitioners' irrigation practices and Petitioners' storage rental activities.

22. FOURTEENTH DEFENSE. Failure to take preventive measures. Petitioner negligently failed to take proper and adequately protective and preventive measures to prevent or minimize the alleged injuries complained of in this action, and such negligence caused, contributed to, or aggravated said alleged injuries.

#### **PRAYER FOR RELIEF**

Respondents request the following relief:

1. That the Director deny the Petition's requested relief.

2. That an Order be rendered in favor of Respondents.
3. For such other relief as the Director deems proper.

RESPECTFULLY SUBMITTED this 5<sup>th</sup> day of May 2005.

GIVENS PURSLEY LLP

A handwritten signature in cursive script, reading "Michael C. Creamer", written over a horizontal line.

Michael C. Creamer

*Attorneys for Respondents*

### CERTIFICATE OF SERVICE

I hereby certify that on this 5<sup>th</sup> day of May 2005, I served a true and correct copy of the foregoing by delivering the same to each of the following individuals by the method indicated below, addressed as follows:

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Idaho Department of Water Resources  
322 East Front Street  
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Boise, ID 83720-0098

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Michael C. Creamer

**EXHIBIT A—RESPONDENTS**

WATER USERS	WATER RIGHTS
John Allen	32-07015
Elmer D. Carpenter	31-10466
Scott Carpenter	31-7167A 31-7167B
Zane L. Eddins	31-2412
Frederiksen Ranch William K. Frederiksen	31-11444 31-7094 31-11359
Milburn Hawker, Jr. and Lois E. Hawker	31-4089 31-4090
Larry B. Mecham	31-2446
Ronald Torgerson	31-7298
Wayne and Jill Torgerson	31-7257
Eldon L. Ward	25-7139
Kim Yearsley	31-7310
Glenn F. Zweifel	31-2459A 31-4010A
Robert W. Zweifel	31-2303A
Stephen Vern Zweifel	32-2104A 32-2104B 32-2105A 32-2105B 32-2117A 32-2117B 32-2119A 32-2119B 32-2133A 32-2133B 32-4074 32-7011A 32-7011B 32-7090A 32-7090B 32-7256 32-7257 32-7258 32-7259 31-2303A 31-7118A 31-7182C
BYU-Idaho	22-2303B 22-2303C
D S & S Inc	22-7538

WATER USERS	WATER RIGHTS
Guy Erickson	22-7032
H & L Farms	22-7672
Ralph Huskinson	22-2166
MGR Farms LLC	22-7132
Preston H. Parkinson	22-2303
Ricks College (now BYU- Idaho)	22-7463
Lavere Ricks	22-2179
Val Schendiman Farms	22-7313 22-7210
John H. Smith	22-2156 22-7509
Garth Sutton	22-7676 22-7711
Emery Allen	32-7015 (duplicate)
John Allen	32-7015
Dean Howell	32-7014 32-7035 31-7521 31-2469
Sandra Andersen	31-2392 31-11456
Don C. Archibald	31-2467 31-2468 31-11238
Boyd B. Ashcraft	31-7176 31-11609 31-11611 31-11724 31-11725
Helen F. Ashcraft	31-62S 31-63S 31-2248 31-7203 31-10503 31-11697

WATER USERS	WATER RIGHTS
BHA, Inc.	31-62S (duplicate) 31-63S (duplicate) 31-2248 (duplicate) 31-7203 (duplicate) 31-7408 31-10503 (duplicate)
Boyd B. Ashcraft Shelter Trust	31-62S (duplicate) 31-63S (duplicate) 31-2248 (duplicate) 31-7203 (duplicate) 31-10503 (duplicate) 31-11697 (duplicate) 31-11697 (duplicate)
Grant Ashcraft	31-07408 32-07137 31-07016 31-11623 31-07079 31-02407 31-02717 31-11620 31-11608 31-11610 31-635 31-11609 31-11611 31-11724
Sid and Jana Ashcraft	31-2331 31-2454A 31-11641 31-10500 31-7441 31-2402 31-4126 31-7262 31-11462 31-7359 31-11463 31-11464 31-2410

WATER USERS	WATER RIGHTS
Ball Land LC	31-2356A 31-2356B (duplicate) 31-2399 31-2401 31-7036 31-7219 31-10968 31-10969 31-10970
Circle B Farms Limited Partnership	31-2267 31-2291 31-2419 31-7040A 31-7040B (duplicate) 31-7067 31-7100A 31-7100B (duplicate) 31-7155 31-7156 31-7160 31-7602 31-7603 31-10365 31-11417 31-11418 31-11419 31-11424
Kent Barber	25-7017B 25-7073A
Heber Barzee	31-7110
Lloyd Ray Barzee	31-7063 31-7175 31-7321 31-11383 31-11398 31-11404 31-11406
Daren O. Bitter	31-2328 31-2329 31-2360 31-2375A 31-2375B (duplicate)
Dwain D. Kirkham	31-7115 31-7090
La Verne Kirkham	31-2394
KLB, Inc.	22-7256

WATER USERS	WATER RIGHTS
Sid E. Brown	31-7180 31-7269 31-7357 31-11667
Burton Cemetery District	22-13286
Robert B. Bybee	31-7043B 31-11408 31-11442 31-11461 31-11805 (also see Kenneth Ellis)
Bradley P. Byington	25-7073D
Clyde A. Cook	25-2104 25-2106 25-2109 25-2118 25-2120 25-4288 25-7015 25-14058 25-14060 25-14062 25-14064
George L. Lovell	25-2104 (duplicate) 25-2106 (duplicate) 25-2120 (duplicate) 25-7015 (duplicate) 25-14058 (duplicate) 25-14060 (duplicate) 25-14062 (duplicate) 25-14064 (duplicate) 25-14066
Ronald L. Lovell	25-2109 (duplicate) 25-2118 (duplicate) 25-4288 (duplicate)
James R. Lovell	25-7598

WATER USERS	WATER RIGHTS
Cornelison Olson	31-2307B 31-2408B 31-7095B 31-7186 31-7223 31-7224 31-7233B 31-7235 31-7244 31-7658 31-7659 31-7660 31-7661 31-7662 31-7663 31-11352 31-11775 31-11776
Golden Eagle Ranch	31-2443 31-2444 31-2445 31-7046 31-7047A 31-7047B 31-7048 31-7215 31-7281 31-11343
Boyd B. Ashcraft	31-11725
Roger Ferguson	31-7206
Ralph Hillman	31-7242
Grant Saurey	31-7171 31-11342
Perry Woodard	31-2307A 31-2408A 31-7095A
BRG Limited Partnership	21-7564
Crapo Farms, Inc.	21-2122 21-7007 21-7024 21-7027 21-7033 21-7060 21-7104 21-7170 21-7194 21-10930
Blake Brothers Partnership	21-7050 21-7046
Canyon Creek Lateral Ditch Association	22-7253 22-7508

WATER USERS	WATER RIGHTS
Brent Dalling	31-62P 31-62Q 31-63P 31-63Q 31-2370 31-2385 31-11358
Laurel Dalling	31-62P (duplicate) 31-62Q (duplicate) 31-63P (duplicate) 31-63Q (duplicate) 31-2370 (duplicate) 31-2385 (duplicate)
Laurel Dalling (see Loren McGarry Ranches/Partners)	31-11358 (duplicate)
David G. Dalling	31-7194
Theressa Dalling	31-7194 (duplicate)
Glenn W. Dalling	31-11617
Rand O. Dixon	31-4029 31-7068
Duane W. Drake	21-7358

WATER USERS	WATER RIGHTS
Richard A. Egbert	31-7084 31-7103 31-7104 31-7105 31-7106 31-7107 31-7108 31-7121 31-7148 31-7149 31-7150 31-7151 31-7152 31-7192 31-7193 31-7375 31-7381 31-7382 31-7417 31-7418 31-10677 31-11372 31-11375 31-11376 31-11382 31-11387 31-11388 31-11389 31-11391 31-11392 31-11394 31-11396 31-11669 21-7295 21-7296
Kirk S. Egbert	31-7267A 31-7545 31-10964A 31-11410 31-11414 31-11428 31-11670 31-11671
Kirk S. Egbert Ranches, Inc.	31-7569
Kenneth P. Ellis	31-4004
Robert M. Ellis	31-2277 31-2390
Blair Fisher	21-10122
Etsil I. Fisher	22-2302
Dean T. Freeman	22-7457
Fremont-Madison Irrigation District, successor in interest to U.S. Bureau of Reclamation	22-7022

WATER USERS	WATER RIGHTS
Fremont-Madison School District #215	21-4114 21-7049
Loyd L. Gasser	31-4024 31-7082 31-7290 31-11409
Hunter Family Partnership	22-2122D
K. Paul Gunderson	31-7338 31-11604
H. Brent Hall	22-7469
Val Hammond	21-07089
Kirt Hansen Farms	31-2349 31-2377
Nick Hillman	31-7030B 31-7031 31-7032 31-7188
Ralph Hillman – Deceased (Nick Hillman PR)	31-7183 31-7184 31-7185 31-7232 31-7233A 31-7234 31-7236 31-7237 31-7238 31-7239 31-7240 31-7241 31-7242 31-7243 31-10711 31-11356 31-7225 31-7230
Ron R. Hillman	31-11349
Michelle Hirshman	A31-07172
Bryan W. Holdaway	31-7019
Bruce A. Owens	31-2473
Moteview Trust	31-11691 31-11695 31-11698
Ralph W. Huskinson	22-2166
Irvin L. Ball	31-7361 31-7362

WATER USERS	WATER RIGHTS
IM Family Limited Partnership	31-7014 31-11443 31-11443 (duplicate)
Olive H. Fugal	31-2427B
F. Mitchell Jacobs	31-2426A
Frank H. Jacobs	31-2426B (duplicate) 31-7288 31-11431
Kirk M. Jacobs	31-2427A (duplicate) 31-7015B 31-7024B 31-7291 31-7292 31-11344
Mitch Jacobs	31-11672
Estella R. Stallings	31-2302 31-7026
Jefferson Irrigation Company, Ltd.	31-2243 31-2451 31-7113 31-7327 31-10322 31-10323 31-10324 31-10325
Howard Jensen	22-7672
Joseph J. Jensen	22-7198 22-10044
Monte Jenson	25-14059 25-14061 25-14063 25-14065
Ben D. Jernberg	31-2357 31-2395 31-7311
Desert Ridge Family Ltd Partnership	31-2433 31-7029A 31-7035 31-7053 31-7159 31-11353 31-11354

WATER USERS	WATER RIGHTS
David O. Kesler, II	31-2304 31-2318 31-2454D 31-7042 31-10306 31-11420
Arlin D. Knight	31-7277 31-7477 31-10534 31-11449 31-11452
Blaine L. Larson	31-7643 31-7644 31-7645 31-11673 31-11738 31-11739 31-11779 31-11780 31-11781 31-11782 31-11783 31-11784 31-11785 31-11791 31-11792 31-11793 31-11794 31-11795 31-11797 31-11798 31-11799 31-11800 31-11801 31-11802 31-11803 31-11804 31-7158C 31-7177B 31-7177D 31-7178C 31-7178D 31-7178E 31-7178F 31-7202B 31-7214B 31-7214F 31-7221A 31-7221B 31-7221C 31-7221D 31-7222B 31-7276B 31-7278A 31-7278B 31-7279A 31-7279B 31-7280A

WATER USERS	WATER RIGHTS
	31-7280B 31-7293C 31-7293F 31-7293G 31-7293H 31-7293J 31-7293K 31-7302A 31-7302B 31-7332 31-7368C 31-7368D 31-7369E 31-7369F 31-7369G 31-7370A 31-7370C 31-7370D 31-7370E 31-7370F 31-7396A 31-7396B 31-7423 31-7439A 31-7439B 31-7605 31-7606 31-7607 31-7608 31-7609 31-7610A 31-7610B 31-7611 31-7612A 31-7612B 31-7613 31-7614 31-7615A 31-7615B 31-7616 31-7617 31-7618A 31-7618B 31-7620A 31-7620B 31-7621A 31-7621B 31-7622A 31-7322B 31-7623 31-7625 31-7627A 31-7627B 31-7629 31-7630 31-7634 31-7635A 31-7635B 31-7637

WATER USERS	WATER RIGHTS
	31-7638
	31-7368B
	31-7641
	31-7642
	31-2271
	31-2301A
	31-2301B
	31-2309
	31-2314
	31-2315A
	31-2315B
	31-2335B
	31-2335C
	31-2335D
	31-2365D
	31-2365E
	31-2365F
	31-2374B
	31-2374C
	31-2374D
	31-2405A
	31-2405B
	31-2426D
	31-2426E
	31-2452
	31-7013B
	31-7013D
	31-7013F
	31-7015A
	31-7015C
	31-7015D
	31-7022A
	31-7022B
	31-7024D
	31-7025A
	31-7025B
	31-7034AA
	31-7034AB
	31-7034AC
	31-7034AD
	31-7034AE
	31-7034AF
	31-7034AG
	31-7034C
	31-7034D
	31-7034P
	31-7034S
	31-7034T
	31-7034U
	31-7034V
	31-7034W
	31-7034X
	31-7034Y
	31-7034Z
	31-7037A
	31-7037B
	31-7037C
	31-7038A
	31-7038B

WATER USERS	WATER RIGHTS
	31-7044B
	31-7052A
	31-7052B
	31-7052C
	31-7052D
	31-7052E
	31-7052F
	31-7052G
	31-7052H
	31-7052J
	31-7052L
	31-7052N
	31-7052P
	31-7056
	31-7058
	31-7070
	31-7071
	31-7072
	31-7073
	31-7091
	31-7127
	31-7158A
	31-7158B
Blaine Larson Farms, Inc.	31-7004
Laird & Sons, Inc.	31-7220B
	31-7220C
	31-7220D
	31-7220F
	31-7299
	31-7300
	31-7373
George L. Hansen	31-11728
	31-11732
Dell Miller	21-7305
	21-7138
Patricia Miller	21-7305
	(duplicate)
	21-7138
	(duplicate)
Jeff L. Lerwill	22-2152
Quality Farms, Inc.	31-2429
	31-2430
	31-7268
	31-7303
	31-7316
	31-7414
	31-7415
	31-7416
S. Lynn Loosli	21-12358



WATER USERS	WATER RIGHTS
Madison School District #321	22-7106 22-7322 22-7323 22-7323 (duplicate) 22-7324
Joseph M. Marty	31-335B 31-340 31-365 31-7324 31-11362
Loren Mc Garry Ranches	31-62A 31-63A 31-7270
Pete Mc Garry	31-11605
Michael M. Mc Garry	31-11619
Jerry Lee Mumm	22-7567
Scott Neville	31-2424
Darrell Neville	31-7044A
Scott & Stan Neville	31-7140 31-7143 31-7190 31-7289 31-7363 31-7374 31-7509
Stan Neville	31-7162 31-7168 31-11346 31-11371

WATER USERS	WATER RIGHTS
Lavar Newman	A31-07078 A31-07101 A31-10238 A32-02090A A32-02100 31-07391 31-11338 A31-02464 A32-10154 A31-02455 A31-02439 A31-02413 A31-02403B A31-02403A A31-02386 A31-02340 A31-02383 A31-02458 31-2386A (duplicate) 31-2403A (duplicate) 31-2413C (duplicate) 31-2439A (duplicate) 31-2455A (duplicate) 31-2458A (duplicate) 31-2464A (duplicate) 31-7078A (duplicate) 31-7101A (duplicate) 31-10238 (duplicate) 31-11638 31-2386A 31-2403A 31-2413C 31-2439A 31-2455A 31-2458A 31-2464A 31-7078A 31-7101A 31-10238
32-7262 32-7263 32-7264 32-7262 (duplicate) 32-7263 (duplicate) 32-7264 (duplicate)	L2 Limited Partnership

WATER USERS	WATER RIGHTS
32-7265 32-7266 32-7267 32-7268 32-7269 32-7270 32-7271 31-11851 31-11855 31-11859 31-11863 31-11867 31-11871 31-11875 31-11879 31-11883 31-11887 32-7265 (duplicate) 32-7266 (duplicate) 32-7267 (duplicate) 32-7268 (duplicate) 32-7269 (duplicate) 32-7270 (duplicate) 32-7271 (duplicate) 31-11851 (duplicate) 31-11855 (duplicate) 31-11859 (duplicate) 31-11863 (duplicate) 31-11867 (duplicate) 31-11871 (duplicate) 31-11875 (duplicate) 31-11879 (duplicate) 31-11883 (duplicate) 31-11887 (duplicate)	L3 Limited Partnership
Jack D. Pincock	31-7322
Larry Simmons	31-7264 (duplicate) 31-11338 (duplicate) 32-2090A (duplicate)
Ross Newman	31-2404
Duane Allen	31-2383 (duplicate) 31-7391 (duplicate) 31-2340 (duplicate)
Ross Newman	31-2384 31-2425
Fremont County Dist. 4 Parker Cemetery	21-12889

WATER USERS	WATER RIGHTS
Cory Petersen	31-62F 31-63F 31-4019 31-7086 31-10599 31-11364 31-11365
Place Farms, LTD	31-2423 31-7039 31-7060 31-7098 31-7099 31-7144A 31-7144B 31-7296 31-7297 31-11340 31-11341
John E. Raybould	21-7173
Lucille Ricks	22-2179B
Teton Pipeline Assn., Inc.	22-7208 22-7209 22-7211 22-7216 22-7221 22-7223 22-7235 22-7295 22-7360 22-7375 22-7375A 22-7375B 22-7504
Mark R. Ricks	22-7188
R. Brent Ricks	22-7247 22-10805
Reed Ricks	32-7000 32-7001 32-7004 32-7021 32-2116B 32-02113A 32-07005D 32-07102B 32-07102C 32-07079H 32-02116C 32-7086 32-13208 32-13210 32-13214
Vernon R. Ricks	22-2179A

WATER USERS	WATER RIGHTS
Ririe Joint School District #252	25-2122E
Barry Robertson	31-7030A 31-7033
Dyle Robertson	31-7242
William H. Roundy	31-2298 31-2319 (duplicate) 32-2114 32-4000 32-7074
Barbara K. Roundy	31-2319
Craig D. Roundy	31-7657
Gayle Rumsey	21-7377
Kiyoshi Sakota	22-7225
Reed Sanders	31-4065 31-7356
Reese Sanders	31-62T 31-62U 31-63T 31-63U 31-7318 31-11435 31-11436 31-11681
Neal W. Sauer	31-160A 31-161A 31-4011B 31-4012 31-10652 32-7013A (duplicate) 32-7022A (duplicate) 32-7023H 32-7023J 32-7032 32-11246 32-11247 (duplicate)
David W. Sauer	32-2127B 32-7013C 32-7023G 32-11243B 32-11245
Diane Sauer	32-2127D 32-2140D

WATER USERS	WATER RIGHTS
Lorin Sauer	32-2127D (duplicate) 32-2140B 21-240D (duplicate)
Mildred Sauer	32-7013A 32-7022A 32-7023 32-7032 (duplicate) 32-11247
David Sauer Farms, Inc.	32-2127C 32-2140F 32-7013D 32-11243C 32-11244
L&D Farms, Inc.	32-2140E 32-2141B 32-7099B
Sauer Farms, Inc	32-2127A 32-2140C 32-2140E (duplicate) 32-2141A 32-7023C 32-7023D 32-7023E 32-7023F 32-7023M 32-7023P 32-7049C 32-7050C 32-7063 32-7064 32-7065 32-7066 32-7099A 32-11241 32-11242
Aaron Savage	32-62M 31-62N 31-63M 31-63N 31-7117
Neal W. Savage	32-62C 31-63C 31-2389
Stanley K. Scott	32-2456 31-7097 31-2330
Tod Shenton	32-2135
H. Dean Shenton	32-7081B

WATER USERS	WATER RIGHTS
Carolyn Rhodes Shenton	32-7081C
Lyle R. Shupe	32-2432 32-11426 (duplicate) 31-11427 (duplicate)
Karlene Shupe	31-11426 31-11427
Rene Shurtliff	31-62J 31-63J
Siddoway Sheep Company, Inc.	31-11707
Irvin B. Smith	22-2270
George H. Ward	22-7009
Sullivan Limited Partnership	32-7029B 32-7045A 32-7045B 32-7055A 32-7055B 32-7110B 32-7112B 32-13223 32-13225 32-13227 32-13228 32-13229 32-13230 32-13231 32-13232 32-13233
Green Desert, LLC	31-7055
M. Frank Sullivan	31-7182A 31-11692 31-11696 31-11699 32-13222 32-13226
Diane Savage Valcarce	31-11661
William L. Tanner	22-2205
Walker Land & Cattle Co.	31-2387 31-2427C 31-2435 31-2437 31-4053 31-4054 31-4055 31-7565 31-10275 31-11684

WATER USERS	WATER RIGHTS
Dorothy M. Walker	31-2365A 21-2365B 31-7093 31-7132 31-7133 31-7134 31-7135 31-7136 31-7137 31-7138 31-7226 31-7227 31-7228 31-7229 31-10699
Roland L. Walker	31-2365A (duplicate) 31-2365B (duplicate) 31-2437 31-7093 (duplicate) 31-7132 (duplicate) 31-7133 (duplicate) 31-7134 (duplicate) 31-7135 (duplicate) 31-7136 (duplicate) 31-7137 (duplicate) 31-7138 (duplicate) 31-7226 (duplicate) 31-7227 (duplicate) 31-7228 (duplicate) 31-10699 (duplicate)
Paul Walker	31-2380 31-2450
Wade L. Yearsley	31-7141A 31-7141B 31-7287 31-11312 31-2300B
Tessengerlo Kerley, Inc.	45-7465C

WATER USERS	WATER RIGHTS
JRG Partners	22-7641 22-12272 31-2327 31-11844 22-13220
Bruce Newcomb	45-7184 45-7507 45-13630 45-2331 45-2369 45-2638 45-7083 45-10760 45-10763 45-10764 45-2329B
Mark T. Newcomb	45-7252 45-7268A 45-7268B 45-7318 45-12440 45-12441 45-13393 45-13395 45-13629 45-2329A 45-2370 45-2389B 45-2508 45-2636 45-2754 45-7351 45-7152 45-7139 45-12439 43-261 43-626 43-10790 43-7168 43-7169 43-10803 45-7002 43-7178 43-7071 45-229B 45-2637 45-2755 45-7371 45-116311
Russell Newcomb	45-2328 45-2330 45-2332
W. Wayne Newcomb	45-2714
Don Duffin	45-7696

WATER USERS	WATER RIGHTS
Duncan Limited Partnership	45-2460A 45-2461A 45-2479 45-2616D 45-7108B 45-7232D
Paul Duncan	45-2429F 45-2457D 45-4241B 45-7462C
William Hepworth	45-2458 45-2459 45-2752 45-7160
Arthur and Dorothy Hieb	45-7037
Ronald Hieb	45-2369A 45-2499 45-2638A 45-7685
Doris Hone	45-7136 45-7200
Jackson Farms	45-2429D 45-2429E 45-2457C 45-2616E 45-4241A 45-7232E
Don McFarland	45-11912 45-7290 45-7331
Marshall McFarland	45-7290
William McManus	45-7264 45-7548
Dell Mitchell	45-7454 45-7688
Jan Mitchell	45-7004
Leo Robbins	45-7108A 45-7158
Joye Simpson	45-7333B
Six Heps Limited Partnership	45-13775
Solar Farms	45-2709
Frank Somsen	45-13574 45-2428 45-2485 45-2491 45-4242

WATER USERS	WATER RIGHTS
TAJO LLC	45-2761 45-7214
Lovell Turner	45-13548 45-7731
Dan Walton	45-13404 45-2389A 45-2637 45-7102 45-7103 45-7104A 45-7104B 45-7109 45-7159 45-7292 45-7299 45-7433 45-7508
Ardel Wickel	45-13773 45-2329B 45-2468 45-7336
Donald & Lorette Anderson	27-2125A 27-02125C
Arave Construction Co Inc.	27-7361
Tom Bartauský	24-7404 27-7432 27-7474 27-7526
Basic American Food (Shelley)	27-2116 27-4019 27-7411
Audrey Bean	27-7079
Eleanor & Neil F. Bithell	27-7429
Blackfoot School District No. 55	27-4148 27-4150 27-7047
Eley & Kathryn Bleazard	27-7547
Lynn Broadhead	27-7290
Ford Call	27-7541
Cannon Structures Inc.	27-7418
Rodger Capson	27-7413
A Ladd & Jane Carter	27-2123 27-11903
Cedar Farms	27-7116
Cedar Point Subdivision Water Co.	27-7489

WATER USERS	WATER RIGHTS
Brent E. Chappell	27-2120A 24-2120B
Raymond G. and Leina S. Christensen	27-4119
Renn Christensen	27-7068A 27-7531
City of Basalt	27-7015
City of Firth	27-4128 27-4129
City of Shelley	27-2155 27-4107 27-7053
Michael R. and Connie S. Clawson	27-7307 27-7308 27-7320 27-7372 27-7389
Rone Clawson	27-7036 27-7142 27-7519 27-7520
Clayson Farms	27-7123 27-10183
Randy Coles	27-7319
Dana & Cheryl Collins	27-11238
Cook Children LLC	27-7011 27-11969
Geneal C. Cooper	27-7535 27-11912
Stephen C. Cooper	27-7397 27-7436 27-11911
Byard Cox	27-11990
Crofts Inc.	27-7045 27-7471
Charles & Carol Dansie	27-7303B 27-7318
Merlin Dial	27-7527
DJC Investments LLC	27-7115
Dean Dreher	27-7091 27-7096B 27-7143A 27-7528
Dunes Cattle Company Inc.	27-2098

WATER USERS	WATER RIGHTS
Frank Echevarria	27-7491
Leon M. Esplin	27-10147
Ronald Esplin & Sons	27-4135 27-7066 27-7077B 27-7082 27-7103 27-7366 27-7368 27-10314 27-11957 27-11958
Dean & Janet Evans	27-7434
T. Lynn & Kathleen Evans	27-7315 27-7517
Thain M. and Helen B. Evans	27-7561
Alan Fielding	27-7017
Bryce Fielding	27-7003
Gary R. Fielding	27-2133 27-10395
Keith Fielding	27-2091
Firth School District No. 59	27-7063
Four Seasons Water Users Association	27-7007B 27-7351
GPOD of Idaho	27-7040
Greenfields Water & Sewer Dist.	27-7421
Lavar Grover	27-7356
Layne F. Hamilton	27-2129A 27-2134
Wesley R. & Annette Hamilton	27-2129B
Roy W. Hansen	27-7388
David B. Hatch	27-7089
Annette, Davis & Brett W. Hernandez	27-7362
Blaine & Janice Hillman	27-7113
Keith S. Hinckley	27-7149
Charles R. Horrocks	27-2128B 27-7512
Robert A. Hoskins	27-2125D

WATER USERS	WATER RIGHTS
Idaho Supreme Potatoes Inc.	27-7446 27-7447 27-10080
Dr. Ronald D. & Jenni Lou Isackson	27-4155
Aloy Jensen	27-7122
Ambrose Jensen	27-7493
Drew Jensen	27-7078
Stanley & Lois B. Jensen	27-7074
O. Boyd Jolley	27-7408
Kleal H. Jones	27-7492
Dale B. Kirkham, Jr.	27-7510
Lambert Produce Company Inc.	27-7549
J. Berkeley Larsen Farm LLC	27-7398
LDS Church (Blackfoot East Stake)	27-7381
LDS Church (Salt Lake City)	27-7037 27-7321 27-7381
Lindsay Dairy	27-7098
Barbara Malm	27-7486
Dennis L. Marlow	27-7402
Mickelsen Properties LLC	27-7009 27-7139 27-7141 27-7262 27-7263 27-7264 27-7292 27-7303A
Gordon Morris	27-7339 27-7390
Kim Morris	27-7551
Ryan Neibaur	27-7048
Lynn Nelson	27-7067
Joseph M. Oler	27-7330 27-7430 27-11991

WATER USERS	WATER RIGHTS
Oleson Ranches	27-2118 27-7007D 27-7325B 27-7326 27-7426 27-7449
John W. Olsen	27-7016 27-7039
Floyd T. Powell	27-7396 27-11925
Neal K. Powell	27-7514
Gary Pratt	27-7316 27-7387
Gary Ratliff	27-11922
Rich Lane Farms	27-7419 27-7482
Leola C. Roberts	27-7056
Rose Garden Utility Corp.	27-7148
Rex C. Rowbury	27-2125E
Vernon Sandoval	27-7096A 27-7534
John A. Schroeder	27-7538
Brady & Karin Scott	27-7260
Clara Scott	27-7070
Shelley Cemetery District	27-7331
J. Blaine Shoemaker	27-7007C
State of Idaho	27-7084 27-7478 27-11188
Laverelle & Deanna Stecklein	27-2125B 27-2126 27-7065 27-7093 27-7306 27-7399
Jeffrey Brian Stieglitz	27-7542
Brent Stolworthy	27-7001
Artice M. Swingle	27-4071 27-7131
Thompson Farms Partnership	27-7299 27-7324 27-7412
Kurt Thompson	27-7006

WATER USERS	WATER RIGHTS
Tominaga Farms, Inc.	27-7120 27-7261 27-7422 27-10151 27-11968
Utah Power	27-7018
Wasia Farms	27-7435
Max D. & Anna E. Waters	27-7545
William E. & Lisa Wells	27-7005
Florian & Opal Wernette	27-7157 27-7158 27-7291 27-7300 27-7327 27-7383 27-7444 27-7445
Ken Wernette	27-7285 27-7392
Sherman Whitten	27-7095
L. Dean & Devon Woodland	27-7099
Gary Wright	27-7524
Adrian J. Young	27-7406



**EXHIBIT B—ADDITIONAL RESPONDENTS**

WATER USERS	WATER RIGHTS
Jerald K. Dalling	31-7061 31-7195 31-10060
Richard L. Peiper	22-7593