

FILED-DISTRICT COURT
CASE # _____

2010 FEB 25 PM 1:18

**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,

Petitioner,

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.

Case No. CV-2009-647

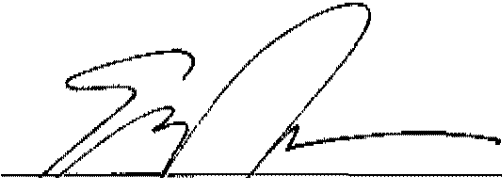
**ORDER GRANTING MOTION TO
AUGMENT AND CORRECT THE
AGENCY RECORD**

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

The Idaho Department of Water Resources ("IDWR") filed the Agency Transcript and Record with this Court in the above-captioned matter on October 29, 2009. On February 23, 2010, the Idaho Ground Water Appropriators, Inc., Magic Valley Ground Water District and North Snake Ground Water District (collectively the "Ground Water Users") filed a Motion to Augment and Correct the Agency Record. The Ground Water Users request that the Agency Record be corrected pursuant to errors and omissions discovered in the record as it currently stands. The Ground Water Users' counsel in the motion indicates that the other parties in the case have been consulted and there is no objection to their Motion to Augment and Correct the Agency Record.

THEREFORE IT IS ORDERED pursuant to I.A.R.30 and 30.1(b) that the Ground Water Users' Motion to Augment and Correct the Agency Record is hereby **GRANTED**. The Agency Record in this matter shall be augmented and corrected in accordance with the motion and its attached appendices which were provided on compact disc.

DATED this 26 day of February 2010.



ERIC WILDMAN
District Judge

CLERK'S CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26 day of February, 2010, the above and foregoing document was served in the following manner:

<p>Candice M. McHugh RACINE OLSON NYE BUDGE & BAILEY, CHTD. 101 S. Capitol Blvd., Suite 208 Boise, Idaho 83702</p>	<p><input type="checkbox"/> U.S. Mail/Postage Prepaid <input checked="" type="checkbox"/> Facsimile 208-232-6109 <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery</p>
<p>Phillip J. Rassier Chris Bromley Deputy Attorneys General Idaho Department of Water Resources P.O. Box 83720 Boise, Idaho 83720-0098 phil.rassier@idwr.idaho.gov chris.bromley@idwr.idaho.gov</p>	<p><input type="checkbox"/> U.S. Mail/Postage Prepaid <input checked="" type="checkbox"/> Facsimile 208-287-6700 <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-Mail</p>
<p>John K. Simpson Travis L. Thompson Paul L. Arrington Sarah W. Higer Barker Rosholt P.O. Box 2139 Boise, Idaho 83701-2139 jks@idahowaters.com tlt@idahowaters.com pla@idahowaters.com</p>	<p><input type="checkbox"/> U.S. Mail/Postage Prepaid <input checked="" type="checkbox"/> Facsimile 208-735-2444 <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-Mail</p>
<p>Sarah A. Klahn White & Jankowski LLP 511 Sixteenth Street, Suite 500 Denver, CO 80202 sarahk@white-jankowski.com</p>	<p><input type="checkbox"/> U.S. Mail/Postage Prepaid <input checked="" type="checkbox"/> Facsimile 303-825-5632 <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-Mail</p>
<p>A. Dean Tranmer City of Pocatello PO Box 4169 Pocatello, ID 83201 dtranmer@pocatello.us</p>	<p><input type="checkbox"/> U.S. Mail/Postage Prepaid <input checked="" type="checkbox"/> Facsimile 208-234-6297 <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-Mail</p>

<p>Jerry R. Rigby Rigby Andrus and Moeller 25 N 2nd East Rexburg, ID 83440 jrigby@rex-law.com</p>	<p><input type="checkbox"/> U.S. Mail/Postage Prepaid <input checked="" type="checkbox"/> Facsimile 208-356-0768 <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-Mail</p>
--	---



CLERK OF THE COURT