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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 Director of the Idaho)
Department of Water Resources,)
)
Respondents,)
)
and)
)
THE IDAHO GROUND WATER)
APPROPRIATORS, INC., and THE)
CITY OF POCATELLO,)
)
Respondents-Intervenors.)
_____)

Case No. CV-2011-512
NOTICE OF LODGING
AGENCY TRANSCRIPTS
AND RECORD WITH THE
DISTRICT COURT

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)
_____)

TO: THE DISTRICT COURT AND PARTIES OF RECORD:

On November 13, 2012, the Idaho Department of Water Resources (“IDWR”) provided notice to the parties via correspondence that it believed the agency transcript and record in this matter were lodged with the Court in 2009 in related case CV-2009-647. IDWR stated its understanding of the record in case CV-2011-512, and provided the parties the opportunity for confirmation or objection to the record.

An objection was filed by the A&B Irrigation District on November 26, 2012. As described in the *Order Settling Agency Record and Transcript*, IDWR has reviewed the objection and incorporated the necessary documents to settle the agency record.

The record in case CV-2009-647 is voluminous. Because the Court received a hard copy of the complete record and transcripts which comprise the bulk of the record in case no. CV-2011-512 via the lodging of the 2009 record in case CV-2009-647, IDWR is not providing the Court with a hard copy of the complete record of this case. Rather, IDWR is providing compact disks containing the entire record and transcripts to parties and the Court, and hard copies to the Court alone of the additional documents / exhibits added in the settling of the record in the CV-2011-512 case.

DATED this 10th day of December, 2012.

LAWRENCE G. WASDEN
Attorney General
CLIVE R. J. STRONG
Chief, Natural Resources Division

A handwritten signature in cursive script, appearing to read "Chris M. Bromley", written over a horizontal line.


CHRIS M. BROMLEY
Deputy Attorneys General
Idaho Department of Water Resources

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10th day of December, 2012, I caused a true and correct copy of the foregoing NOTICE OF LODGING AGENCY TRANSCRIPTS AND RECORD WITH THE DISTRICT COURT to be filed with the Court and served on the following parties by the indicated methods:

<p>SRBA Court 253 3rd Ave. North P.O. Box 2707 Twin Falls, ID 83303-2707 Facsimile: (208) 736-2121</p>	<p><input type="checkbox"/> U.S. Mail, postage prepaid <input checked="" type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email</p>
<p>John K. Simpson Travis Thompson Paul L. Arrington Sarah W. Higer BARKER ROSHOLT & SIMPSON LLP 195 River Vista Place, Ste 204 Twin Falls, ID 83303-0485 jks@idahowaters.com tlt@idahowaters.com pla@idahowaters.com swh@idahowaters.com</p>	<p><input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email</p>
<p>Randy C. Budge Candice M. McHugh RACINE OLSON NYE BUDGE BAILEY P.O. Box 1391 Pocatello, ID 83201 rcb@racinelaw.net cmm@racinelaw.net</p>	<p><input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email</p>
<p>A. Dean Tranmer City of Pocatello P.O. Box 4169 Pocatello, ID 83201 dtranmer@pocatello.us</p>	<p><input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email</p>

<p>Sarah A. Klahn Mitra M. Pemberton WHITE & JANKOWSKI LLP 511 Sixteenth Street, Suite 500 Denver, CO 80202 sarahk@white-jankowski.com mitrap@white-jankowski.com</p>	<p><input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email</p>
<p>Jerry R. Rigby Rigby Andrus and Moeller 25 N 2nd East Rexburg, ID 83440 jrigby@rex-law.com</p>	<p><input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email</p>


Chris M. Bromley