

Randall C. Budge (ISB# 1949)
Thomas J. Budge (ISB# 7465)
RACINE OLSON NYE BUDGE
& BAILEY, CHARTERED
201 East Center St. / P.O. Box 1391
Pocatello, Idaho 83204-1391
(208) 232-6101 – Phone
(208) 232-6109 – Fax
rcb@racinelaw.net
tjb@racinelaw.net

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LINCOLN**

AMERICAN FALLS RESERVOIR
DISTRICT #2,

Petitioner,

vs.

GARY SPACKMAN, in his capacity as
Director of the Idaho Department of Water
Resources, and THE IDAHO
DEPARTMENT OF WATER RESOURCES,
THE IDAHO GROUND WATER
APPROPRIATORS, INC., and THE CITY
OF POCATELLO,

Respondents.

Case No. CV-2013-155

**IGWA'S OPPOSITION TO
SURFACE WATER
COALITION'S JOINT MOTION
TO LIFT STAY**

(Methodology Step 5)

IN THE MATTER OF 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 objects to the *Surface Water Coalition's Joint Motion to Lift Stay* filed October 29, 2013 in the above-captioned matter. The stay should remain in place for the reasons set forth in *IGWA's Opposition to Surface Water Coalition's Joint Motion to Lift Stay* filed today in *Idaho Ground Water Appropriators, Inc. v. Spackman, et al.* Consolidated Case No. CV-2010-382.

RESPECTFULLY SUBMITTED this 30th day of October, 2013.

RACINE OLSON NYE BUDGE
& BAILEY, CHARTERED

By: 
Thomas J. Budge

CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of October, 2013, I served a true and correct copy of the foregoing document on the following persons in the manner indicated:



Thomas J. Budge

<p>Clerk of the Court SRBA Deputy Clerk 253 3rd Ave. North PO Box 2707 Twin Falls, ID 83303-2707</p>	<p><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 type="checkbox"/> Email</p>
<p>Deputy Attorney General Garrick L. Baxter Idaho Department of Water Resources P.O. Box 83720 Boise, Idaho 83720-0098 Fax: 208-287-6700 garrick.baxter@idwr.idaho.gov kimi.white@idwr.idaho.gov</p>	<p><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</p>
<p>C. Tom Arkoosh Arkoosh Law Offices, PLLC P.O. Box 2900 Boise, ID 83701 tom.arkoosh@arkoosh.com</p>	<p><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</p>
<p>W. Kent Fletcher Fletcher Law Office P.O. Box 248 Burley, Idaho 83318-0248 wkf@pmt.org</p>	<p><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</p>
<p>John K. Simpson Travis L. Thompson Paul L. Arrington Barker, Rosholt & Simpson 195 River Vista Place, Suite 204 Twin Falls, ID 83301-3029 jks@idahowaters.com tlt@idahowaters.com pla@idahowaters.com</p>	<p><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</p>

<p>Sarah Klahn Mitra Pemberton 511 16th Street, Suite 500 Denver, CO 80202 sarahk@white-jankowski.com mitrap@white-jankowksi.com</p>	<p><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</p>
<p>A. Dean Tranmer City of Pocatello PO Box 4169 Pocatello, ID 83205 dtranmer@pocatello.us</p>	<p><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</p>
<p>Michael C. Creamer Jeffrey C. Fereday Givens Pursley LLP PO Box 2720 Boise, ID 83701-2720 mcc@givenspursley.com jcf@givenspursley.com</p>	<p><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</p>
<p>David W. Gehlert Natural Resources Section Environment and Natural Resources Division US Dept of Justice 999 18th St., South Terrace Suite 370 Denver, CO 80202 david.gehlert@usdoj.gov</p>	<p><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</p>
<p>Kathleen M. Carr US Dept. of Interior 960 Broadway, Suite 400 Boise, ID 83706 kathleenmarion.carr@sol.doi.gov</p>	<p><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</p>