

RAÚL R. LABRADOR
ATTORNEY GENERAL

SCOTT L. CAMPBELL
Chief of Energy and Natural Resources Division

GARRICK L. BAXTER, ISB No. 6301
Deputy Attorney General
Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098
Telephone: (208) 287-4800
Facsimile: (208) 287-6700
garrick.baxter@idwr.idaho.gov

Attorneys for Respondents

**IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA**

IDAHO GROUND WATER APPROPRIATORS,
INC.,

Petitioner,

vs.

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

Respondents.

Case No. CV01-23-07893

**ORDER SETTLING THE
AGENCY TRANSCRIPT AND
RECORD**

IN THE MATTER OF THE DISTRIBUTION OF
WATER TO VARIOUS WATER RIGHTS HELD
BY AND 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

IN THE MATTER OF IGWA'S SETTLEMENT
AGREEMENT MITIGATION PLAN

TO: THE DISTRICT COURT AND THE PARTIES OF RECORD

On June 12, 2023, the Idaho Department of Water Resources (“Department”) served its *Notice of Lodging the Agency Transcript and Record with the Agency* (“Notice”) in this matter pursuant to I.R.C.P 84(j). The Notice gave the parties fourteen (14) days from the date of the Notice to file any objection to the agency transcript or record. No objections to the agency transcript or record have been filed with the Department.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that, with no objections to the agency transcript or record having been filed, the agency transcript and record are deemed settled.

IT IS FURTHER ORDERED that, pursuant to I.R.C.P. 84(j), this order shall be included in the record on the petition for judicial review. A copy of the settled agency transcript and record filed with the District Court have been uploaded to the Department’s website. The parties may visit <https://idwr.idaho.gov/legal-actions/district-court-actions/igwa-v-idwr-cv01-23-07893/> and follow their browser’s document download procedure to obtain a copy of the settled agency transcript and record after expanding the accordion labeled “Settled Agency Transcript and Record” and clicking on the PDFs titled “Settled Agency Hearing Transcript on Appeal” and “Settled Agency Record on Appeal” and the zipped file titled “Agency Record Excel Documents.”

DATED this 11th day of July 2023.



GARY SPACKMAN

Director

Idaho Department of Water Resources

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of July 2023, I caused to be served a true and correct copy of the foregoing *Order Settling the Agency Transcript and Record*, via iCourt E-File and Serve, upon the following:

Thomas J. Budge
Elisheva M. Patterson
RACINE OLSON, PLLP
tj@racineolson.com
elisheva@racineolson.com

John K. Simpson
Travis L. Thompson
MARTEN LAW LLP
jsimpson@martenlaw.com
tthompson@martenlaw.com

Candice M. McHugh
Chris M. Bromley
MCHUGH BROMLEY, PLLC
cbromley@mchughbromley.com
cmchugh@mchughbromley.com

W.Kent Fletcher
FLETCHER LAW OFFICE
wkf@pmt.org

Sarah A. Klahn
Maximilian C. Bricker
SOMACH SIMMONS & DUNN, P.C.
sklahn@somachlaw.com
mbricker@somachlaw.com

Skyler C. Johns
Nathan M. Olsen
Steven L. Taggart
OLSEN TAGGART PLLC
icourt@olsentaggart.com

Dylan Anderson
Dylan Anderson Law PLLC
dylan@dylanandersonlaw.com



GARRICK L. BAXTER
Deputy Attorney General