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*Attorneys for Respondents*

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

CITY OF POCATELLO, CITY OF IDAHO  
FALLS, CITY OF BLISS, CITY OF BURLEY,  
CITY OF CAREY, CITY OF DECLO, CITY OF  
DIETRICH, CITY OF GOODING, CITY OF  
HAZELTON, CITY OF HEYBURN, CITY OF  
JEROME, CITY OF PAUL, CITY OF  
RICHFIELD, CITY OF RUPERT, CITY OF  
SHOSHONE, CITY OF WENDELL, BINGHAM  
GROUND WATER DISTRICT, BONNEVILLE-  
JEFFERSON GROUND WATER DISTRICT,  
and MCCAIN FOODS USA, INC.,

Petitioners,

vs.

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

Respondents,

and

A&B IRRIGATION DISTRICT, BURLEY  
IRRIGATION DISTRICT, MILNER  
IRRIGATION DISTRICT, NORTH SIDE

Case No. CV01-23-08258

**DEPARTMENT'S  
MEMORANDUM OF COSTS**

CANAL COMPANY, TWIN FALLS CANAL COMPANY, AMERICAN FALLS RESERVOIR DISTRICT #2, and MINIDOKA IRRIGATION DISTRICT,

Intervenors.

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

Respondents, the Idaho Department of Water Resources and its Director, Gary Spackman (collectively, “Department”), file *Department’s Memorandum of Costs*. The total combined dollar amount sought by Respondents in this matter is \$8,140.00.

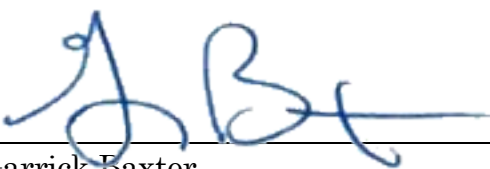
**Memorandum of Costs: Attorney Fees of Garrick L. Baxter**

<b>Date</b>	<b>Description of time spent</b>	<b>Hours</b>	<b>Rate</b>	<b>Total</b>
5/22/2023	Review Petition for Declaratory Relief, Petition for Writ of Prohibition, and Petition for Writ of Mandamus; review Declaration of Sarah Klahn, Declaration of Candice McHugh, Declaration of Maximilian Bricker; conduct research on response.	2.5	\$250	\$625.00
5/23/2023	Communicate with the Department and legal staff regarding filings.	0.5	\$250	\$125.00
5/24/2023	Review Motion to Show Cause; Motion to Shorten Time, Notice of Hearing; prepare Notice of Appearance; discuss with DAG Pete Wood; review and comment on draft Respondents’	1.5	\$250	\$375.00

	Motion and Supporting Points to Vacate Show Cause Hearing.			
5/25/2023	Review and comment on draft Respondents' Motion and Supporting Points to Vacate Show Cause Hearing.	3.0	\$250	\$750
5/26/2023	Finalize Respondents' Motion and Supporting Points to Vacate Show Cause Hearing.	2.5	\$250	\$625.00
5/31/2023	Review Petitioners' Response to the Department's Motion, Declaration of Sarah Klahn, Declaration of Skyler Johns; conduct research on response.  Prepare for oral argument. [Total time was 4 hours, 2 hours billed to Cities and 2 hours billed to Ground Water Districts.]	2.0  2.0	\$250	\$1000.00
6/01/2023	Travel to, attend, return from oral argument. [Total time was 8 hours, 4 hours billed to Cities and 4 hours billed to Ground Water Districts.]	4.0	\$250	\$1000.00
		Total Hours:  <b>18.0</b>		Total Fees:  <b>\$4,500.00</b>

I, Garrick Baxter, am the undersigned attorney who represented the Respondents in this matter. I compiled the above Garrick Baxter portion of the *Department's Memorandum of Costs*, and hereby declare, under penalty of perjury pursuant to the law of the State of Idaho, that the above memorandum of costs is true, correct, and complies with I.R.C.P. 54.

Dated this 15th day of June 2023.

  
 \_\_\_\_\_  
 Garrick Baxter

*Attorney for Respondents*

**Memorandum of Costs: Attorney Fees of Pete Wood**

<b>Date</b>	<b>Description of time spent</b>	<b>Hours</b>	<b>Rate</b>	<b>Total</b>
5/24/2023	Drafting and research regarding motion to vacate hearing.	2.5	\$200	\$500.00
5/25/2023	Drafting and research regarding motion to vacate hearing.	6.5	\$200	\$1300.00
5/26/2023	Drafting and research regarding motion to vacate hearing.	7.0	\$200	\$1400.00
5/31/2023	Reviewed Cities' Response.	0.5	\$200	\$100.00
6/1/2023	Virtually attend hearing, take notes, and conduct research as needed for issues arising during the hearing. [Hearing was 3.5 hours in total, 1.7 billed to Ground Water Districts and 1.7 to Cities.]	1.7	\$200	\$340.00
		<b>Total Hours:</b> <b>18.2</b>		<b>Total Fees:</b> <b>\$3,640.00</b>

I, Pete Wood, am an attorney who assisted Garrick Baxter in his representation of the Respondents in this matter. I have been a licensed attorney for 6 years. I compiled the above Pete Wood portion of the *Department's Memorandum of Costs*, and hereby declare, under penalty of perjury pursuant to the law of the State of Idaho, that the above memorandum of costs is true, correct, and complies with I.R.C.P. 54.

Dated this 15th day of June 2023.

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Pete Wood  
*Attorney for Respondents*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 15<sup>th</sup> day of June 2023, I caused to be served a true and correct copy of the foregoing *Department's Memorandum of Costs*, via iCourt E-File and Serve, upon the following:

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