

RAÚL R. LABRADOR
ATTORNEY GENERAL

SCOTT L. CAMPBELL
Chief of Energy and Natural Resources Division

GARRICK L. BAXTER, ISB No. 6301
KAYLEEN R. RICHTER, ISB No. 11258

Deputy Attorneys 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
kayleen.richter@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,

and

AMERICAN FALLS RESERVOIR DISTRICT #2,
MINIDOKA IRRIGATION DISTRICT, A&B
IRRIGATION DISTRICT, BURLEY IRRIGATION
DISTRICT, MILNER IRRIGATION DISTRICT,
NORTH SIDE CANAL COMPANY, TWIN FALLS
CANAL COMPANY, CITY OF POCA TELLO,
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, AND CITY OF

Case No. CV01-23-13173

**NOTICE OF LODGING THE
SETTLED AGENCY TRANSCRIPT
AND RECORD WITH THE
DISTRICT COURT**

WENDELL, BONNEVILLE-JEFFERSON
GROUND WATER DISTRICT, and BINGHAM
GROUNDWATER 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

TO: THE DISTRICT COURT AND THE PARTIES OF RECORD

On August 30, 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.

On September 13, 2023, *IGWA’s Objection to the Agency Record and Transcript* was filed. IGWA requested certain additions to the agency record and corrections to the agency transcript. The Department’s *Response to Objection; Order Settling the Agency Transcript and Record* is filed concurrently herewith, and the transcript and record are deemed settled pursuant to I.R.C.P. 84(j).

YOU ARE HEREBY NOTIFIED that the settled record is being filed with the District Court pursuant to I.R.C.P. 84(k), through iCourt e-filing and by providing one (1) DVD containing documents in OCR format, dated September 27, 2023. A copy of the agency transcript and record filed with the Department have been uploaded to the Department’s website. The parties may visit <https://idwr.idaho.gov/legal-actions/district-court-actions/igwa-v-idwr->

[cv01-23-13173/](#) and follow their browser's document download procedure to obtain a copy of the 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 "Officially Noticed Documents."

DATED this 27th day of September 2023.

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL



GARRICK L. BAXTER
Deputy Attorney General

Attorneys for Respondents

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 27th day of September 2023, I caused to be served a true and correct copy of the foregoing *Notice of Lodging the Settled Agency Transcript and Record with the District Court*, via iCourt E-File and Serve, upon the following:

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

Dylan Anderson
DYLAN ANDERSON LAW
dylan@dylanandersonlaw.com

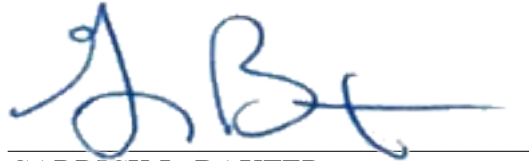
Skyler C. Johns
Nathan M. Olsen
Steven L. Taggart
OLSEN TAGGART PLLC
johns@olsentaggart.com
nolsen@olsentaggart.com
staggart@olsentaggart.com
icourt@olsentaggart.com

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

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

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

Sarah A. Klahn
Maximilian C. Bricker
sklahn@somachlaw.com
mbricker@somachlaw.com



GARRICK L. BAXTER
Deputy Attorney General