

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**

CITY OF IDAHO FALLS, 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 WENDELL,

Petitioners,

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. CV01-23-13238

**NOTICE OF LODGING THE
AGENCY TRANSCRIPT AND
RECORD WITH THE AGENCY**

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

In accordance with I.R.C.P. 84(j), YOU ARE HEREBY NOTIFIED that the agency record and transcript, having been prepared pursuant to I.R.C.P. 84(f), (g), and (i), are lodged with the Idaho Department of Water Resources for the purpose of settlement.

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/city-of-idaho-falls-v-idwr/> and follow their browser's document download procedure to obtain a copy of the agency transcript and record after expanding the accordion labeled "Agency Transcript and Record" and clicking on the PDFs titled "Agency Hearing Transcript on Appeal" and "Agency Record on Appeal" and the zipped file titled "Officially Noticed Documents."

The parties have fourteen (14) days from the date of this notice to file any objections to the transcript and record. The agency's decision on any objection timely filed along with all evidence, exhibits, and written presentations on the objection shall be determined by the agency within fourteen (14) days and included in the record. If no objections are filed within that time, the transcripts and record shall be deemed settled. Subsequently, the agency will lodge the settled transcripts and record with the District Court pursuant to I.R.C.P. 84(k).

DATED this 31st day of August 2023.

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

A handwritten signature in blue ink, appearing to read "G. Baxter", is written over a horizontal line.

GARRICK L. BAXTER
Deputy Attorney General

Attorneys for Respondents

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of August 2023, I caused to be served a true and correct copy of the foregoing *Notice of Lodging the Agency Transcript and Record With the Agency*, via iCourt E-File and Serve, upon the following:

Robert L. Harris (ISB# 7018)
HOLDEN KIDWELL HAHN & CRAPO,
PLLC
PO Box 50130
Idaho Falls, ID 83405
efiling@holdenlegal.com

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

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

Dylan Anderson
Dylan Anderson Law PLLC
dylan@dylanandersonlaw.com

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

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

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



GARRICK L. BAXTER
Deputy Attorney General