

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
POCATELLO, 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,

and

IDAHO GROUND WATER
APPROPRIATORS INC., A&B IRRIGATION
DISTRICT, BURLEY IRRIGATION

Case No. CV01-23-13238

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

DISTRICT, MILNER IRRIGATION DISTRICT, NORTH SIDE CANAL COMPANY, TWIN FALLS CANAL COMPANY, AMERICAN FALLS RESERVOIR DISTRICT #2, MINIDOKA IRRIGATION DISTRICT, 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 31, 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.

On September 28, 2023, the Director issued his *Order Settling the Agency Transcript and Record*. The agency 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 28, 2023. 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/city-of-idaho-falls-v-idwr/> 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 "Officially Noticed Documents."

DATED this 28th 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 28th 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:

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

Robert L. Harris
HOLDEN KIDWELL HAHN & CRAPO,
PLLC
efiling@holdenlegal.com

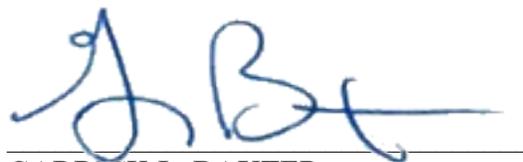
John K. Simpson
Travis L. Thompson
MARTEN LAW LLP
jsimpson@martenlaw.com
tthompson@martenlaw.com

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

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

Dylan Anderson
Dylan Anderson Law PLLC
dylan@dylanandersonlaw.com

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



GARRICK L. BAXTER
Deputy Attorney General