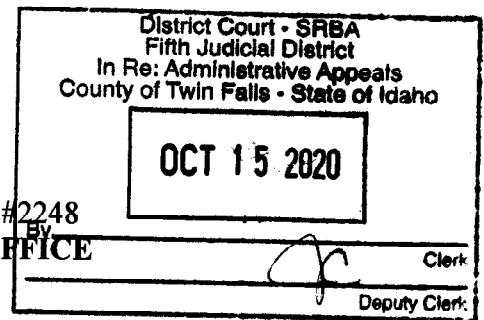


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**IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA**

BASIN 33 WATER USERS, a coalition of
water right holders, and the UPPER VALLEY
WATER USERS, a coalition of water right
holders,

Petitioners,

vs.

SURFACE WATER COALITION, a coalition
of water right holders,

Cross-Petitioner,

vs.

THE IDAHO DEPARTMENT OF WATER
RESOURCES,

Respondent.

**IN THE MATTER OF DESIGNATING THE
EASTERN SNAKE PLAIN AQUIFER
GROUND WATER MANAGEMENT AREA**

Case No. CV01-20-8069

**SURFACE WATER COALITION'S
NOTICE OF SUPPLEMENTAL AUTHORITY**


COME NOW, A&B IRRIGATION DISTRICT, AMERICAN FALLS RESEVOIR DISTRICT #2, BURLEY IRRIGATION DISTRICT, MILNER IRRIGATION DISTRICT, MINIDOKA IRRIGATION DISTRICT, NORTH SIDE CANAL COMPANY, and TWIN FALLS CANAL COMPANY (hereinafter “Cross-Petitioners,” “Surface Water Coalition,” or “Coalition”), by and through their attorneys of record, BARKER ROSHOLT & SIMPSON LLP, and FLETCHER LAW OFFICE, and hereby submit this *Notice of Supplemental Authority* in support of its Cross-Petition filed in this matter.

Attached hereto as Exhibit A are the following documents referenced in footnote 13 at page 12 of the *Surface Water Coalition’s Cross-Petition / Response Brief* filed in this matter on September 10, 2020:

- 1) *Order Granting Motion to Dismiss*
- 2) *IGWA’s Motion to Withdraw Notice of Appeal*
- 3) *City of Pocatello’s Motion to Withdraw Notice of Appeal*

DATED this 15th day of October, 2020.

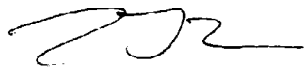
FLETCHER LAW OFFICE

 for

W. Kent Fletcher

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Irrigation District, Milner Irrigation District,
North Side Canal Company, and Twin Falls
Canal Company*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 15th day of October, 2020, I served true and correct copies of the foregoing upon the following by the method indicated:

SRBA District Court 253 3 rd Ave. North P.O. Box 2707 Twin Falls, Idaho 83303-2707	<input type="checkbox"/> U.S. Mail, Postage Prepaid <input checked="" type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
Gary Spackman Idaho Department of Water Resources P.O. Box 83720 Boise, Idaho 83720-0098 gary.spackman@idwr.idaho.gov	<input type="checkbox"/> U.S. Mail, Postage Prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email
Garrick Baxter Sean Costello Deputy Attorneys General Idaho Department of Water Resources P.O. Box 83720 Boise, Idaho 83720-0098 garrick.baxter@idwr.idaho.gov sean.costello@idwr.idaho.gov	<input type="checkbox"/> U.S. Mail, Postage Prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email
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Travis L. Thompson

Exhibit

A

IDAHO SUPREME COURT



IDAHO COURT OF APPEALS

Clerk of the Courts
(208) 334-2210

P.O. Box 83720
Boise, Idaho 83720-0101

ORDER GRANTING MOTION TO DISMISS

Docket No. 42776-20150 IGWA v. CITY OF POCA TELLO
Snake River Basin Adjudication #CV-2010-382

An Appellant's MOTION TO DISMISS / WITHDRAW APPEAL having been filed on April 20, 2015; therefore, good cause appearing, IT IS HEREBY ORDERED that Appellant's MOTION TO WITHDRAW APPEAL is ** GRANTED, ** and this appeal is hereby ** DISMISSED *with prejudice.* **

Dated this 20th day of April, 2015.

For the Supreme Court / Court of Appeals

Handwritten signature of Stephen W. Kenyon in black ink.

/s/ STEPHEN W. KENYON, Clerk

cc: Counsel of Record
Clerk, SRBA DC, Julie Murphy
District Court Judge, Eric J. Wildman

For the Court:
Stephen W. Kenyon
Clerk of the Courts

04/20/2015 SV

Randall C. Budge (ISB# 1949)
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Attorneys for IGWA

IDAHO SUPREME COURT

**IDAHO GROUND WATER
APPROPRIATORS, INC.**

Petitioner / Appellant,

vs.

CITY OF POCATELLO,

Petitioner / Respondent,

vs.

**TWIN FALLS CANAL COMPANY,
NORTH SIDE CANAL COMPANY, A&B
IRRIGATION DISTRICT, AMERICAN
FALLS RESERVOIR DISTRICT #2,
BURLEY IRRIGATION DISTRICT,
MILNER IRRIGATION DISTRICT, and
MINIDOKA IRRIGATION DISTRICT,**

Petitioners / Respondents,

vs.

**GARY SPACKMAN, in his capacity as Di-
rector of the Idaho Department of Water
Resources, and the IDAHO DEPART-
MENT OF WATER RESOURCES,**

Respondents / Respondents.

Docket No. 42776-2015

(SRBA Case No. CV-2010-382)

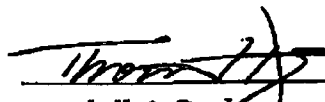
**IGWA's Motion to
Withdraw Notice of Appeal**

IN THE MATTER OF THE DISTRIBUTION OF WATER TO VARIOUS WATER RIGHTS HELD BY OR 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.

Idaho Ground Water Appropriators, Inc. (IGWA) hereby moves the Court pursuant to Idaho Appellate Rule 32(b) to authorize the withdrawal of its *Notice of Appeal* filed December 24, 2014, allowing Docket No. 42776-2015 to be dismissed with prejudice. No briefs have been filed and oral argument has not yet been scheduled for this appeal.

DATED this 17th day of April, 2015.

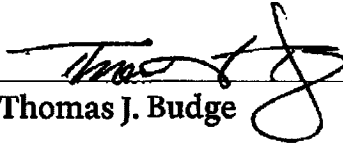
RACINE OLSON NYE BUDGE
& BAILEY, CHARTERED



Randall C. Budge
Thomas J. Budge

CERTIFICATE OF SERVICE

I certify that on this 17th day of April, 2015, a true and correct copy of the foregoing document was served on the following persons in the manner indicated:



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Attorneys for City of Pocatello

IN THE SUPREME COURT OF THE STATE OF IDAHO

**IN THE MATTER OF DISTRIBUTION OF)
 WATER TO VARIOUS WATER RIGHTS)
 HELD BY OR FOR THE BENEFIT OF A&B)
 IRRIGATION DISTRICT, AMERICAN)
 FALLS RESERVOIR DISTRICT #2,)
 BURLEY IRRIGAION DISTRICT,)
 MILNER IRRIGATION DISTRICT,)
 MINIDOKA IRRIGATION DISTRICT,)
 NORTH SIDE CANAL COMPANY, AND)
 TWIN FALLS CANAL COMPANY)**

Docket No. 42776-2015
 (Consolidated with Docket No. 42778-2015)

Snake River Basin Adjudication No.
 CV-2010-382

**CITY OF POCATELLO'S
 MOTION TO WITHDRAW
 NOTICE OF APPEAL**

**IDAHO GROUND WATER)
 APPROPRIATORS, INC.,)**

Petitioner-Appellant,)

v.)

THE CITY OF POCATELLO,)

Petitioner-Respondent,)

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of January, 2015, I caused to be served a true and correct copy of the foregoing **City of Pocatello's Motion to Withdraw Notice of Appeal** in Idaho Supreme Court Docket Nos. 42776-2015 and 42778-2015 upon the following by the method indicated below:



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W. Kent Fletcher Fletcher Law Office P.O. Box 248 Burley ID 83318 wkf@pmt.org	<u>X</u> U.S. Mail, Postage Prepaid ___ Hand Delivery ___ Overnight Mail – Federal Express ___ Facsimile 208-878-2548 <u>X</u> Email
Garrick L. Baxter Deputy Attorneys General Idaho Department of Water Resources P.O. Box 83720 Boise ID 83720-0098 garrick.baxter@idwr.idaho.gov kimi.white@idwr.idaho.gov	<u>X</u> U.S. Mail, Postage Prepaid ___ Hand Delivery ___ Overnight Mail – Federal Express ___ Facsimile 208-287-6700 <u>X</u> Email
Randall C. Budge Thomas J. Budge Racine Olson Nye Budge & Bailey 201 E Center St P.O. Box 1391 Pocatello ID 83204-1391 rcb@racinelaw.net tjb@racinelaw.net bjh@racinelaw.net	<u>X</u> U.S. Mail, Postage Prepaid ___ Hand Delivery ___ Overnight Mail – Federal Express ___ Facsimile 208-232-6109 <u>X</u> Email

Dean Tranmer City of Pocatello P.O. Box 4169 Pocatello ID 83201 dtranmer@pocatello.us	<input checked="" type="checkbox"/> U.S. Mail, Postage Prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail – Federal Express <input type="checkbox"/> Facsimile 208-234-6297 <input checked="" type="checkbox"/> Email
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