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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 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,

Petitioner,

vs.

IDAHO DEPARTMENT OF WATER
RESOURCES, and MATHEW WEAVER, 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 DISTRICT, MILNER
IRRIGATION DISTRICT, NORTH SIDE
CANAL COMPANY, TWIN FALLS
CANAL COMPANY, AMERICAN FALLS
RESERVOIR DISTRICT #2, MINIDOKA

Case No. CV01-23-13238

**STIPULATED I.A.R. 29 OBJECTION TO
THE CLERK'S RECORD**

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

On July 12, 2024, the cities of Idaho Falls, Pocatello, Bliss, Burley, Carey, Declo, Dietrich, Gooding, Hazelton, Heyburn, Jerome, Paul, Richfield, Rupert, Shoshone, and Wendell (collectively, the “Cities”), filed *Cities’ Combined Notice of Appeal*, appealing to the Idaho Supreme Court the Snake River Basin Adjudication (“SRBA”) District Court’s May 31, 2024 *Memorandum Decision and Order and Judgment* entered in this case. On August 28, 2024, the *Clerk’s Record on Appeal* (“*Clerk’s Record*”) was lodged with the district court. Pursuant to I.A.R. 29, the parties listed in the above caption, by and through their respective counsels of record, hereby jointly object to the *Clerk’s Record*.

In the interest of ensuring that the clerk’s record on appeal to the Idaho Supreme Court includes all pertinent items, the parties respectfully request that the *Clerk’s Record* be altered to add the following filings from the district court docket in this matter:

1. August 17, 2023 *Notice of Appearance* (IDWR and Spackman)
2. August 18, 2023 *IGWA’s Notice of Appearance*
3. August 18, 2023 *Notice of Appearance* (A&B Irrigation District et al.)
4. August 21, 2023 *Notice of Appearance* (AFRD#2 and Minidoka Irrigation District)
5. August 21, 2023 *Notice of Appearance* (Bonneville-Jefferson Ground Water District)

6. August 21, 2023 *Bingham Groundwater District's Notice of Appearance*
7. September 15, 2023 *Order Treating Appearances as Motions to Intervene and Granting Same*
8. September 28, 2023 *Settled Agency Record on Appeal*
9. October 26, 2023 *Notice of Substitution of Party*
10. November 15, 2023 *Order Granting Motion to Augment Record; Order Augmenting Record*
11. December 21, 2023 *Cities' Opening Brief on Judicial Review, SWC Post-Hearing Order, Fifth Methodology*
12. January 23, 2024 *Order on Notice of Substitution of Party*
13. February 16, 2024 *Respondent IDWR's Brief*
14. February 20, 2024 *Surface Water Coalition's Response Brief*
15. March 22, 2024 *Cities' Combined Reply in Support of Opening Brief on Judicial Review*

DATED this 20th day of September 2024.

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL



GARRICK L. BAXTER
Deputy Attorney General

DATED this 19th day of September 2024.

HOLDEN KIDWELL HAHN & CRAPO,
PLLC

/s/ Robert L. Harris

Robert L. Harris
Attorney for City of Idaho Falls

DATED this 19th day of September 2024.

MCHUGH BROMLEY, PLLC

/s/ Candice M. McHugh

Candice M. McHugh
Chris M. Bromley
*Attorneys for Cities of Bliss, Burley,
Carey, Declo, Dietrich, Gooding, Hazelton,
Heyburn, Jerome, Paul, Richfield, Rupert,
Shoshone, and Wendell*

DATED this 19th day of September 2024.

DYLAN ANDERSON LAW

/s/ Dylan Anderson

Dylan Anderson
Attorney for Bingham Groundwater District

DATED this 19th day of September 2024.

OLSEN TAGGART PLLC

/s/ Skyler C. Johns

Skyler C. Johns
Nathan M. Olsen
Steven L. Taggart
*Attorneys for Bonneville-Jefferson Ground
Water District*

DATED this 19th day of September 2024.

SOMACH SIMMONS & DUNN, P.C.

/s/ Maximilian C. Bricker

Sarah A. Klahn
Maximilian C. Bricker
Attorneys for City of Pocatello

DATED this 19th day of September 2024.

MARTEN LAW LLP

/s/ Travis L. Thompson

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Travis L. Thompson
*Attorneys for A&B Irrigation District, Burley
Irrigation District, Milner Irrigation District,
North Side Canal Company, and Twin Falls
Canal Company*

DATED this 19th day of September 2024.

FLETCHER LAW OFFICE

/s/ W. Kent Fletcher

W. Kent Fletcher
*Attorney for American Falls Reservoir
District #2 and Minidoka Irrigation District*

DATED this 19th day of September 2024.

RACINE OLSON, PLLP

/s/ Elisheva M. Patterson

Thomas J. Budge
Elisheva M. Patterson
Attorneys for IGWA

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of September 2024, I caused to be served a true and correct copy of the foregoing via iCourt E-File and Serve, upon the following:

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Ada County District Court

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