

RECEIVED

MAY 15 2008

DEPARTMENT OF
WATER RESOURCES

Randall C. Budge (ISB #1949)
Candice M. McHugh (ISB #5908)
Scott J. Smith (ISB #6014)
Thomas J. Budge (ISB #7465)
RACINE OLSON NYE BUDGE &
BAILEY, CHARTERED
101 South Capitol Boulevard, Suite 208
Boise, ID 83702
Telephone: (208) 395-0011
Facsimile: (208) 433-0167

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re: SRBA	)	Subcases 01-01J, <i>et al.</i>
	)	(See Attachment A for list of subcases)
	)	
Case No. 39576	)	STIPULATION TO ALLOW
	)	GROUND WATER DISTRICTS
	)	TO PARTICIPATE
	)	
	)	
	)	

COME NOW, the parties to the subcases listed on *Attachment A*, (the "recovered water subcases") and do hereby **stipulate** and **agree** to the participation of the following as parties to those subcases listed on Attachment A:

Aberdeen-American Falls Ground Water District, Bingham Ground Water District, Bingham Ground Water District, Bonneville-Jefferson Ground Water District, Madison Ground Water District, Magic Valley Ground Water District, North Snake Ground Water District, and Clark Jefferson Ground Water District.

It is further stipulated and agreed that the Ground Water District's individual water right holders who are members of the Ground Water District but represented by separate counsel are not represented by counsel for the Ground Water Districts.

The foregoing Stipulation by the parties is based on the following facts.

1) Special Master Dolan issued his *Order Denying IGWA's Motion for Reconsideration* on January 3, 2008 denying the Idaho Ground Water Appropriators participation in the Basin 01 recovered water subcases.

2) On January 15, 2007, Special Master Bilyeu issued her *Order on Motion to Participate in Basins 21, 22 and 27* upon stipulation by the parties that provided that that Ground Water Districts may participate in the subcases relating to the same issue as the recovered water subcases in Basin 01.

DATED:

5/2/08

RACINE, OLSON, NYE, BUDGE &
BAILEY, CHARTERED

By 
RANDALL C. BUDGE
Attorney for the Ground Water Districts

DATED:

5/1/08

BARKER, ROSHOLT & SIMPSON LLP

By 
TRAVIS L THOMPSON/ PAUL ARRINGTON
*Attorneys for Milner Irrigation District, North Side
Canal Company, Twin Falls Canal Company*

DATED:

By _____
C THOMAS ARKOOSH
Attorney for American Falls Reservoir

DATED:

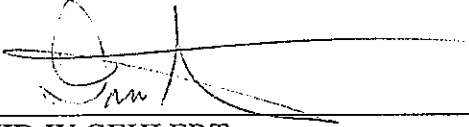
By _____
JERRY R RIGBY
*Attorney for Blackfoot Irrigation Co, Corbett
Slough Ditch Co, New Lavaside Ditch Co Ltd,
Parsons Ditch Co, Peoples Canal & Irrigation Co,
Riverside Canal Co, United Canal Co, Watson
Canal Co, Wearyrick Ditch Co*

DATED:

By _____
ROGER D LING
*Attorney for A & B Irrigation District, Burley
Irrigation District, and Falls Irrigation District*

DATED: 5/5/08

USDI-BUREAU OF RECLAMATION
US DEPT OF JUSTICE

By  _____
DAVID W GEHLERT
Trial Attorney, Dept of Justice

DATED:

By _____
W KENT FLETCHER
Attorneys for Minidoka Irrigation District

IDWR Concurrence:

By _____
GARRICK L BAXTER
Deputy Attorney General for IDWR

DATED:

By _____
C THOMAS ARKOOSH
Attorney for American Falls Reservoir

DATED:

By _____
JERRY R RIGBY
*Attorney for Blackfoot Irrigation Co, Corbett
Slough Ditch Co, New Lavaside Ditch Co Ltd,
Parsons Ditch Co, Peoples Canal & Irrigation Co,
Riverside Canal Co, United Canal Co, Watson
Canal Co, Wearyrick Ditch Co*

DATED:

By _____
ROGER D LING
*Attorney for A & B Irrigation District, Burley
Irrigation District, and Falls Irrigation District*

DATED:

USDI-BUREAU OF RECLAMATION
US DEPT OF JUSTICE

By _____
DAVID W GEHLERT
Trial Attorney, Dept of Justice

DATED:

By _____
W KENT FLETCHER
Attorneys for Minidoka Irrigation District

IDWR Concurrence:

By  _____
GARRICK L BAXTER
Deputy Attorney General for IDWR

DATED:

By _____
C THOMAS ARKOOSH
Attorney for American Falls Reservoir

DATED:

By  _____
JERRY R RIGBY
*Attorney for Blackfoot Irrigation Co, Corbett
Slough Ditch Co, New Lavaside Ditch Co Ltd,
Parsons Ditch Co, Peoples Canal & Irrigation Co,
Riverside Canal Co, United Canal Co, Watson
Canal Co, Wearyrick Ditch Co*

DATED:

By _____
ROGER D LING
*Attorney for A & B Irrigation District, Burley
Irrigation District, and Falls Irrigation District*

DATED:

USDI-BUREAU OF RECLAMATION
US DEPT OF JUSTICE

By _____
DAVID W GEHLERT
Trial Attorney, Dept of Justice

DATED:

By _____
W KENT FLETCHER
Attorneys for Minidoka Irrigation District

IDWR Concurrence:

By _____
GARRICK L BAXTER
Deputy Attorney General for IDWR

DATED:

By _____
C THOMAS ARKOOSH
Attorney for American Falls Reservoir

DATED:

By _____
JERRY R RIGBY
*Attorney for Blackfoot Irrigation Co, Corbett
Slough Ditch Co, New Lavaside Ditch Co Ltd,
Parsons Ditch Co, Peoples Canal & Irrigation Co,
Riverside Canal Co, United Canal Co, Watson
Canal Co, Wearyrick Ditch Co*

DATED:

By  _____
ROGER D LING
*Attorney for A & B Irrigation District, Burley
Irrigation District, and Falls Irrigation District*

DATED:

USDI-BUREAU OF RECLAMATION
US DEPT OF JUSTICE

By _____
DAVID W GEHLERT
Trial Attorney, Dept of Justice

DATED:

By _____
W KENT FLETCHER
Attorneys for Minidoka Irrigation District

IDWR Concurrence:

By _____
GARRICK L BAXTER
Deputy Attorney General for IDWR

DATED:

By _____
C THOMAS ARKOOSH
Attorney for American Falls Reservoir

DATED:

By _____
JERRY R RIGBY
*Attorney for Blackfoot Irrigation Co, Corbett
Slough Ditch Co, New Lavaside Ditch Co Ltd,
Parsons Ditch Co, Peoples Canal & Irrigation Co,
Riverside Canal Co, United Canal Co, Watson
Canal Co, Wearyrick Ditch Co*

DATED:

By _____
ROGER D LING
*Attorney for A & B Irrigation District, Burley
Irrigation District, and Falls Irrigation District*

DATED:

USDI-BUREAU OF RECLAMATION
US DEPT OF JUSTICE

By _____
DAVID W GEHLERT
Trial Attorney, Dept of Justice

DATED:

May 2 2008

By  _____
W KENT FLETCHER
Attorneys for Minidoka Irrigation District

IDWR Concurrence:

By _____
GARRICK L BAXTER
Deputy Attorney General for IDWR

DATED: 5/12/08

By 
C THOMAS ARKOOSH
Attorney for American Falls Reservoir

DATED:

By _____
JERRY R RIGBY
*Attorney for Blackfoot Irrigation Co, Corbett
Slough Ditch Co, New Lavaside Ditch Co Ltd,
Parsons Ditch Co, Peoples Canal & Irrigation Co,
Riverside Canal Co, United Canal Co, Watson
Canal Co, Wearyrick Ditch Co*

DATED:

By _____
ROGER D LING
*Attorney for A & B Irrigation District, Burley
Irrigation District, and Falls Irrigation District*

DATED:

USDI-BUREAU OF RECLAMATION
US DEPT OF JUSTICE

By _____
DAVID W GEHLERT
Trial Attorney, Dept of Justice

DATED:

By _____
W KENT FLETCHER
Attorneys for Minidoka Irrigation District

IDWR Concurrence:

By _____
GARRICK L BAXTER
Deputy Attorney General for IDWR

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of May, 2008, the above and foregoing document was served in the following manner:

Milner Irrigation District
North Side Canal Company
Twin Falls Canal Company

Represented by:

BARKER, ROSHOLT & SIMPSON, LLP
113 Main Ave. W., Suite 303
P.O. Box 485
Twin Falls, ID 83303-0485
Phone: 208-733-0700

- ☒ U.S. Mail/Postage Prepaid
- ☐ Hand Delivery
- ☐ Overnight Mail
- ☐ Facsimile
- ☐ Email

American Falls Reservoir

Represented by:

C. THOMAS ARKOOSH
301 Main Street
P.O. Box 32
Gooding, ID 83330
Phone: 208-934-8872

- ☒ U.S. Mail/Postage Prepaid
- ☐ Hand Delivery
- ☐ Overnight Mail
- ☐ Facsimile
- ☐ Email

Blackfoot Irrigation Co.

Represented by:

JERRY R. RIGBY
25 N. 2nd East
P.O. Box 250
Rexburg, ID 83440-0250
Phone: 208-356-3633

- ☒ U.S. Mail/Postage Prepaid
- ☐ Hand Delivery
- ☐ Overnight Mail
- ☐ Facsimile
- ☐ Email

A & B Irrigation District
Burley Irrigation District
Falls Irrigation District

Represented by:

ROBER D. LING
615 H. Street
P.O. Box 396
Rupert, ID 83350-0396
Phone: 208-436-4717

- ☒ U.S. Mail/Postage Prepaid
- ☐ Hand Delivery
- ☐ Overnight Mail
- ☐ Facsimile
- ☐ Email

USDI Bureau of Reclamation

Represented by:

U.S. DEPARTMENT OF JUSTICE
ENVIRONMENT & NATURAL RESOURCES
550 West Fort Street, MSC 033
Boise, ID 83724

- ☒ U.S. Mail/Postage Prepaid
- ☐ Hand Delivery
- ☐ Overnight Mail
- ☐ Facsimile
- ☐ Email

Minidoka Irrigation District

Represented by:

W. KENT FLETCHER
1200 Overland Avenue
P.O. Box 248
Burley, ID 83318
Phone: 208-678-3250

- ☒ U.S. Mail/Postage Prepaid
- ☐ Hand Delivery
- ☐ Overnight Mail
- ☐ Facsimile
- ☐ Email

DIRECTOR OF IDWR
P.O. Box 83720
Boise, ID 83720-0098

- ☒ U.S. Mail/Postage Prepaid
- ☐ Hand Delivery
- ☐ Overnight Mail
- ☐ Facsimile
- ☐ Email



ATTACHMENT A

Subcase Nos:

01-00001J	01-10046
01-00002A	01-10048
01-00047E	01-10049
01-00048	01-10050
01-00052A	01-10057
01-00052B	01-10060
01-00053A	01-10062
01-00092A	01-10091
01-00092B	01-10092
01-00116BB	01-10471
01-00131A	01-10472
01-00132A	01-10474
01-00133A	01-10475
01-00141	01-10476\
01-00146A	01-10477
01-00146B	
01-00147	
01-00148	
01-00157A	
01-00157B	
01-00158B	
01-00193A	
01-00193B	
01-00232	
01-00247	
01-00259	
01-00260	
01-00261	
01-00263	
01-00264	
01-00266	
01-00298	
01-00304	
01-00306	
01-00324	
01-04061	