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**DEPARTMENT OF
WATER RESOURCES**

Randall C. Budge, ISB No. 1949
Candice M. McHugh, ISB No. 5908
RACINE, OLSON, NYE, BUDGE &
BAILEY, CHARTERED
101 South Capitol Boulevard, Suite 208
Boise, ID 83702
Telephone: 208-395-0011
Fax: 208-433-0167
rcb@racinelaw.net
cmm@racinelaw.net

Attorneys for Ground Water Districts

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

Case No. 39576

Subcase Numbers: 1-4, 1-6, 1-7, 1-8,
1-9, 1-10, 1-13, 1-14, 1-17, 1-211A, 1-
211B, 1-214A, 1-214B, 1-219, 1-2050,
1-2061, 1-10034, 1-10225, 1-10237,
1-10238, 1-10239, 1-10240, 1-10241,
1-10482 and 1-10483

**THIRD AFFIDAVIT OF CANDICE
M. MCHUGH IN SUPPORT OF
GROUND WATER USERS'
AUGUST 22, 2008 MOTION FOR
SUMMARY JUDGMENT**

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

Candice M. McHugh, being fully sworn upon oath, deposes and states as follows:

1. I am one of the attorneys representing the Ground Water Districts in the above-referenced subcases and make the following Affidavit upon my personal knowledge of the facts and circumstances set forth herein.

2. Attached hereto as Exhibit Q is a true and correct copy of the *Order on Petition for Judicial Review* in *A & B Irrigation District v. Spackman*, Case No. 2008-551 (Fifth Jud. Dist., Co. of Gooding).

3. Attached hereto as Exhibit R is a true and correct copy of the *Order on Petition for Judicial Review* in *Clear Springs Foods, Inc. v. Tuthill*, Case No. 2008-444 (Fifth Jud. Dist., Co. of Gooding).

4. Attached hereto as Exhibit S is a true and correct copy of the document titled, *Amended Order* dated May 2, 2005, in the Surface Water Coalition Delivery Call administrative case.

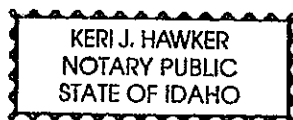
5. Attached hereto as Exhibit T is a true and correct copy of excerpts from the *Surface Water Coalition Expert Report* dated September 26, 2007 from the SWC Delivery call.

6. Attached hereto as Exhibit U is a true and correct copy of the *Order Granting in Part and Denying in Part Joint Motion for Summary Judgment and Motion for Partial Summary Judgment* issued by Hearing Officer Schroeder in the Spring Users' delivery call administrative case dated November 14, 2007.

DATED this 18th day of August, 2009.

By: Candice M. McHugh
CANDICE M. McHUGH

SUBSCRIBED AND SWORN to before me by Candice M. McHugh this 18th day of August, 2009.



Keri J. Hawker
Notary Public
Commission Expires: 12-21-2012

CERTIFICATE OF MAILING

I hereby certify that on this 18th day of August, 2009, a true and correct copy of the foregoing was served by email on August 19th, 2009 to those with email addresses and U.S. Mail, postage pre-paid and addressed to the following:


Candice M. McHugh

Clerk of SRBA Court <i>via Federal Express</i> 253 3 rd Ave North Twin Falls ID 83303-2707 Phone 208-736-3011 Fax: 208-736-2121	IDWR Repository PO Box 83720 Boise ID 83720-0098
John K. Simpson Travis L. Thompson Barker Rosholt & Simpson LLP PO Box 485 Twin Falls ID 83303-0485 Facsimile 208-735-2444 jar@idahowaters.com jks@idahowaters.com tlr@idahowaters.com	Roger D. Ling Attorney at Law PO Box 623 Rupert ID 83350 Facsimile: 208-436-6804 rdl@idlawfirm.com
C. Thomas Arkoosh PO Box 32 Gooding ID 83330 Fax: 208-934-8873 alo@cableone.net	Natural Resources Division Chief State of Idaho Attorney's General Office PO Box 44449 Boise ID 83711-4449
Jerry R. Rigby 25 N 2 nd E PO Box 250 Rexburg ID 83440-0250 jrigby@rex-law.com	US Department of Justice Environment & Natural Resources 550 W Fort St MSC 033 Boise ID 83724 david.gehlert@usdoj.gov
Sarah A. Klahn White & Jankowski, LLP 511 Sixteenth Street, Suite 500 Denver, CO 80202 sarahk@white-jankowski.com	A. Dean Tranmer City of Pocatello PO Box 4169 Pocatello ID 83201 dtranmer@pocatello.us
Josephine P. Beeman 409 W Jefferson St Boise ID 83702 Fax: 208-331-0954 jo.beeman@beemanlaw.com	W. Kent Fletcher Fletcher Law Office PO Box 248 Burley ID 83318 Fax: 208-878-2548 wkf@pmt.org

Robert L. Harris 1000 Riverwalk Dr Ste 200 PO Box 50130 Idaho Falls ID 83405 rharris@holdenlegal.com	Tim Eilers, Pro Se 1109 W 300 S Heyburn ID 83336 Phone 208-438-5118
	Steve Muecke, Pro Se 925 W Wanda Ln Heyburn ID 83336 Phone 208-678-2106