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DEPARTMENT OF
WATER RESOURCES

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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

Subcase Numbers: 1-2064 and 1-2068

**GROUND WATER DISTRICTS'
STATEMENTS OF ISSUES**

Case No. 39576

COME NOW, Aberdeen American Falls Ground Water District, Bingham Ground Water District, Bonneville-Jefferson Ground Water District, Magic Valley Ground Water District, Jefferson-Clark Ground Water District, Madison Ground Water District and North Snake Ground Water District (collectively, the "Ground Water Districts") by and through their undersigned attorneys of record, and submit this *Statement of Issues* pursuant to the Court's *Order* of December 15, 2011.

STATEMENT OF ISSUES

The Ground Water Districts identify the following issues for the January 26, 2012 Status/Scheduling Conference.

1. The Right to Refill Storage. The United States Bureau of Reclamation requested the following remark:

This Water Right includes the right to refill under the priority date of this Water Right to satisfy the United States' storage contracts.

The Ground Water Districts responded and believe that such a remark would enlarge the water right, change administration of Water District 1, injure junior storage water right holders, and may impact of storage water that would be available for mitigation purposes and should not be allowed.

2. The binding effect of the Eagle decree provisions on parties to the SRBA who are not parties to the Eagle Decree.

Both of the above-referenced issues pertain to Water Right No. 1-2064 for American Falls Reservoir and 1-2068 arising out of Palisades Reservoir.

SCHEDULE

The Ground Water Districts propose a trial on the above issues in early November, 2012 unless other issues are also included in the trial as identified by other parties and at that time the Ground Water Districts believe an additional two to three months is required to prepare for all issues for trial.

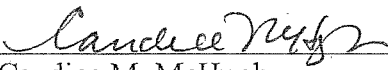
DATED this 19th day of January, 2012.

RACINE, OLSON, NYE, BUDGE &
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By: 
CANDICE M. McHUGH
Attorney for the Ground Water Districts

CERTIFICATE OF MAILING

I hereby certify that on this 19th day of January, 2012, a true and correct copy of the foregoing was served by email to those with email addresses and U.S. Mail, postage pre-paid and addressed to the following:


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