

1-25
RECEIVED
JAN 26 2012
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 300
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

Subcase Numbers: 1-2064 and 1-2068

Case No. 39576

**GROUND WATER DISTRICTS'
AMENDED STATEMENT OF ISSUES**

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 submitted January 19, 2012, a *Statement of Issues* pursuant to the Court's *Order* of December 15, 2011. The Ground Water Districts now submit this *Amended Statement of Issues*.

AMENDED 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. Whether certain contract provisions should be included in the SRBA decree and the effect of those provisions.

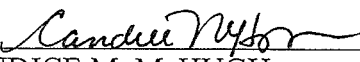
Both of the above-referenced issues pertain to Water Right No. 1-2064 for American Falls Reservoir and 1-2068 arising out of Palisades Reservoir.

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.

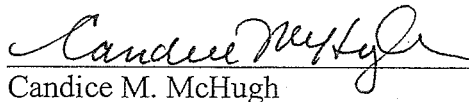
DATED this 25th day of January, 2012.

RACINE, OLSON, NYE, BUDGE &
BAILEY, CHARTERED

By: 
CANDICE M. McHUGH
Attorney for the Ground Water Districts

CERTIFICATE OF MAILING

I hereby certify that on this 25th 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:


Candice M. McHugh

Clerk of SRBA Court *via facsimile*
253 3rd 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 A. Rosholt
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

Natural Resources Division Chief
State of Idaho
Attorney's General Office
PO Box 44449
Boise ID 83711-4449

C. Thomas Arkoosh
PO Box 32
Gooding ID 83330
Fax: 208-934-8873
alo@cableone.net

US Department of Justice
Environment & Natural Resources
550 W Fort St MSC 033
Boise ID 83724
david.gehlert@usdoj.gov

Jerry R. Rigby
25 N 2nd E
PO Box 250
Rexburg ID 83440-0250
jrigby@rex-law.com

Josephine P. Beeman
409 W Jefferson St
Boise ID 83702
Fax: 208-331-0954
jo.beeman@beemanlaw.com

Roger D Ling
615 H St
PO Box 396
Rupert, ID 83350-0396

A. Dean Tranmer
City of Pocatello
PO Box 4169
Pocatello ID 83201
dtranmer@pocatello.us
W. Kent Fletcher
Fletcher Law Office
PO Box 248
Burley ID 83318
Fax: 208-878-2548
wkf@pmt.org

Jim Lochhead
Brownstein Hyatt, et al.
410 17th Street, Suite 2200
Denver, CO 80202

James C Tucker
PO Box 70
Boise, ID 83707