

6-29

Jerry R. Rigby, ISB #2470
RIGBY ANDRUS & RIGBY CHTD.
P.O. Box 250
Rexburg, Idaho 83440
Telephone: (208) 356-3633
Facsimile: (208) 356-0768

RECEIVED
JUL 03 2012
DEPARTMENT OF
WATER RESOURCES

Attorneys for: Fremont-Madison Irrigation District, Idaho Irrigation District and Blackfoot Irrigation Company

**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 Nos. 01-2064, et al and 01-2068, et al
) (See attached list)
)
)
)
)
)
)

**REPLY IN SUPPORT OF STATE'S MOTION
FOR PARTIAL SUMMARY JUDGMENT**

Comes now Fremont-Madison Irrigation District, Idaho Irrigation District and Blackfoot Irrigation Company, by and through their counsel, Jerry R. Rigby, of Rigby, Andrus & Rigby, Chartered, submit this reply brief in support of the *State of Idaho's Motion for Partial Summary Judgment* dated, January 25, 2012 and *Ground Water Districts' Reply in Support of State's Motion for Partial Summary Judgment*, dated June 29, 2012, insofar as they support an in-season refill that is not in accordance with the priority of the underlying water right as has been explained in detail by Tony Olenichak..

Dated this 29th day of June, 2012.


Jerry R. Rigby

Subcase Nos.

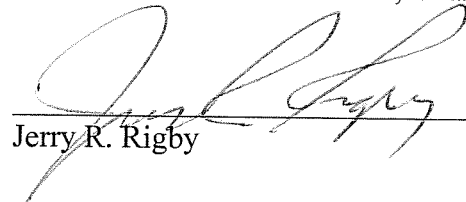
01-2064
01-2064A
01-2064E
01-2064F
01-2064L
01-2068
01-2068D
01-2068E
01-2068F
01-2068M
01-2068Y
01-10042
01-10042A
01-10042B
01-10043
01-10043A
01-10043E
01-10053A
01-10190
01-10191
01-10389

CERTIFICATE OF SERVICE BY MAIL, HAND DELIVERY
OR FACSIMILE TRANSMISSION

I hereby certify that a true and correct copy of the foregoing document was on this date served upon the persons named below, at the addresses set out below their name, either by mailing, hand delivery or by telecopying to them a true and correct copy of said document in a properly addressed envelope in the United States mail, postage prepaid; by hand delivery to them; or by facsimile transmission.

DATED this 29th day of June, 2012.

RIGBY ANDRUS & RIGBY, Chartered


Jerry R. Rigby

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303
208-736-2121

☐ Mail
☐ Hand Delivery
☒ Facsimile

James C. Tucker
Idaho Power Co.
P.O. Box 70
Boise, ID 83707

☒ Mail
☐ Hand Delivery
☐ Facsimile

Adam DeVoe
Brownstein, Hyatt, Farber, Schreck
410 17th Street, Ste. 2200
Denver, CO 80202

☒ Mail
☐ Hand Delivery
☐ Facsimile

C. Thomas Arkoosh
P.O. Box 32
Gooding, ID 83330

☒ Mail
☐ Hand Delivery
☐ Facsimile

Roger D. Ling
P.O. Box 396
Rupert, ID 83350

☒ Mail
☐ Hand Delivery
☐ Facsimile

**Reply in Support of State's Motion for Partial Summary Judgment -
Page - 3**

SB/UVCO92ndtofill.rep

Candice Mchugh
Racine, Olson, Nye, Budge & Bailey, Chtd.
101 Capitol Blvd., Ste. 208
Boise, ID 83702

☒ Mail
☐ Hand Delivery
☐ Facsimile

Travis L. Thompson
P.O. Box 485
Twin Falls, ID 83303

☒ Mail
☐ Hand Delivery
☐ Facsimile

W. Kent Fletcher
Fletcher Law Office
P.O. Box 248
Burley, ID 83318

☒ Mail
☐ Hand Delivery
☐ Facsimile

David Gehlert
US Department of Justice
999 18th Street, South Terrace, Ste. 370
Denver, CO 80202

☒ Mail
☐ Hand Delivery
☐ Facsimile

USDI Bureau of Reclamation
US Department of Justice
Environment & Nat'l Resources
550 West Fort Street, MSC 033
Boise, ID 83724

☒ Mail
☐ Hand Delivery
☐ Facsimile

United States of America
regional Director PN Region
Bureau of Reclamation, PN-3100
1150 N. Curtis Road, Ste. 100
Boise, ID 83706

☒ Mail
☐ Hand Delivery
☐ Facsimile

Josephine P. Beeman
Beeman & Associates
409 W. Jefferson Street
Boise, ID 83702

☒ Mail
☐ Hand Delivery
☐ Facsimile

State of Idaho
Natural Resources Div Chief
Attorney General's Office
P.O. Box 44449
Boise, ID 83711

☒ Mail
☐ Hand Delivery
☐ Facsimile

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720

☒ Mail
☐ Hand Delivery
☐ Facsimile

Clive J. Strong
Michael C. Orr
Deputy Attorney General
P.O. Box 44449
Boise, ID 83711

☒ Mail
☐ Hand Delivery
☐ Facsimile