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DEPARTMENT OF
WATER RESOURCES

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Attorneys for Petitioner A&B Irrigation District

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT

OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF MINIDOKA

A&B IRRIGATION DISTRICT,

Petitioner,

vs.

THE IDAHO DEPARTMENT OF WATER RESOURCES and GARY SPACKMAN in his official capacity as Director of the Idaho Department of Water Resources,

Respondents,

and

THE IDAHO GROUND WATER APPROPRIATORS, INC., and THE CITY OF POCATELLO,

Respondents-Intervenors.

IN THE MATTER OF THE PETITION FOR DELIVERY CALL OF A&B IRRIGATION DISTRICT FOR THE DELIVERY OF GROUND WATER AND FOR THE CREATION OF A GROUND WATER MANAGEMENT AREA

CASE NO. CV-2011-512

AFFIDAVIT OF TRAVIS L. THOMPSON IN SUPPORT OF A&B IRRIGATION DISTRICT'S OPPOSITION TO MOTION TO REMAND PROCEEDING TO IDWR

STATE OF IDAHO)
) ss.
County of Twin Falls)

TRAVIS L. THOMPSON, being first duly sworn upon oath, deposes and hereby states as follows:

1. I am an attorney representing the Petitioner A&B Irrigation District in the above-captioned matter. I am over the age of 18 and state the following based upon my own personal knowledge.

2. On Friday October 16, 2012, Garrick Baxter, counsel for the Respondents called me to discuss this case. Mr. Baxter asked whether A&B would stipulate to a motion to remand in this proceeding. Mr. Baxter represented that IDWR wanted the case remanded so that the agency could re-issue the Director's June 30, 2011 *Amended Final Order*.

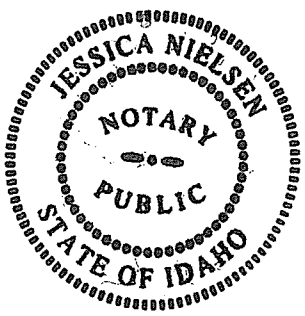
3. I discussed Mr. Baxter's request with my client and the District declined to so stipulate.

Further you affiant sayeth naught.

DATED this 9th day of November, 2012.

Travis L. Thompson

SUBSCRIBED AND SWORN to before me this ____ day of November, 2012.



Notary Public for State of Idaho
Residing at Twin Falls, Idaho.
Commission Expires: 4/3/18

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 9th day of November, 2012, I served true and correct copies of **TRAVIS L. THOMPSON'S AFFIDAVIT IN SUPPORT OF A&B'S OPPOSITION TO MOTION TO REMAND PROCEEDING TO IDWR** upon the following by U.S. Mail, postage prepaid:

Deputy Clerk SRBA District Court 253 3rd Ave N. P.O. Box 2707 Twin Falls, Idaho 83303-2707	____ U.S. Mail, Postage Prepaid ✓ Hand Delivery ____ Overnight Mail ____ Facsimile ____ Email
Garrick Baxter Chris Bromley Deputy Attorneys General Idaho Department of Water Resources P.O. Box 83720 Boise, Idaho 83720-0098	✓ U.S. Mail, Postage Prepaid ____ Hand Delivery ____ Overnight Mail ____ Facsimile ✓ Email

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Travis L. Thompson