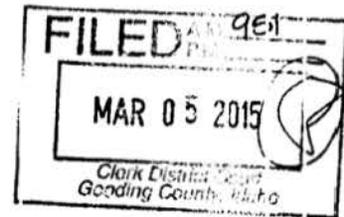


Randall C. Budge (ISB# 1949)
Thomas J. Budge (ISB# 7465)
RACINE OLSON NYE BUDGE
& BAILEY, CHARTERED
201 E. Center St. / P.O. Box 1391
Pocatello, Idaho 83204
(208) 232-6101 - phone
(208) 232-6109 - fax
rcb@racinelaw.net
tjb@racinelaw.net

Attorneys for the Districts



**DISTRICT COURT OF THE STATE OF IDAHO
FIFTH JUDICIAL DISTRICT
GOODING COUNTY**

IDAHO GROUND WATER AP-
PROPRIATORS, INC.,

Petitioner,

vs.

IDAHO DEPARTMENT OF WA-
TER RESOURCES, and GARY
SPACKMAN in his capacity as the
Director of the Idaho Department
of Water Resources.

Respondents.

IN THE MATTER OF APPLICA-
TION FOR PERMIT NO. 36-16976
IN THE NAME OF NORTH
SNAKE GROUND WATER DIS-
TRICT, ET AL.

Case No. CV-2015-83

**PETITION FOR
JUDICIAL REVIEW**

Fee Category L.3: \$221.00

North Snake Ground Water District, Magic Valley Ground Water Dis-
trict, and Southwest Irrigation District (collectively, the "Districts") submit
this petition for judicial review pursuant to Idaho Code §§ 42-1701A and
67-5270 and Rule 84 of the Idaho Rules of Civil Procedure.

1. This petition requests judicial review of the *Final Order Denying Application* issued by the Director of Idaho Department of Water Resources (IDWR) on February 6, 2015, *In the Matter of Application for Permit No. 36-16976 in the Name of North Snake Ground Water District, et. al.*

2. This court is the proper venue under Idaho Code § 67-5272 because the water right that is the subject of this action is located in Gooding County, Idaho.¹

3. Pursuant to an Administrative Order issued by the Idaho Supreme Court on December 9, 2009, this case should be reassigned to the presiding judge of the Snake River Basin Adjudication (SRBA) district court for further proceedings.

4. A hearing was held before the IDWR on September 17, 2014, in Twin Falls, Idaho. The hearing was recorded by M&M Court Reporting, 101 S. Capital Blvd. Ste. 503, Boise, Idaho 83702, (208) 345-9611.

5. The Districts submit the following issues for judicial review:

5.1 Whether the Director erred in concluding the Districts' application for permit was filed in bad faith.

5.2 Whether the Director erred in concluding the Districts' application is not in the local public interest.

Pursuant to I.R.C.P. 84(d)(5), IGWA reserves the right to amend the issues it presents for judicial review. A final statement of issues will be contained in IGWA's opening brief submitted in support of this Petition.

6. IGWA requests a transcript of proceedings held before IDWR.

7. The undersigned attorney certifies as follows:

7.1 Service of this Petition has been made on the IDWR.

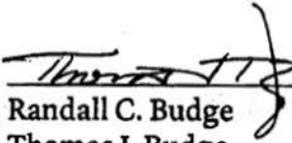
7.2 IDWR has been paid the estimated fee to acquire the transcript from M&M Court Reporting.

¹ IDAHO CODE § 67-5272.

7.3 IDWR had been paid the estimated fee for preparation of the agency record.

DATED this 3rd day of March, 2015.

RACINE OLSON NYE BUDGE
& BAILEY, CHARTERED

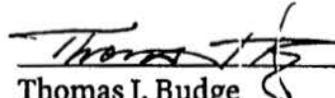


Randall C. Budge
Thomas J. Budge

Attorneys for the Districts

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of March, 2015, a true and correct copy of the foregoing was served on the following in the manner indicated:



 Thomas J. Budge

Clerk of the Court Twin Falls County 425 Shoshone Street N P.O. Box 126 Twin Falls, ID 83303	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Email
Idaho Department of Water Resources P.O. Box 83720 Boise, Idaho 83720-0098 garrick.baxter@idwr.idaho.gov emmi.blades@idwr.idaho.gov deborah.gibson@idwr.idaho.gov kimi.white@idwr.idaho.gov	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email
Robyn M. Brody Brody Law Office, PLLC P.O. Box 554 Rupert, ID 83350 robynbrody@hotmail.com	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email
Fritz X. Haemmerle Haemmerle & Haemmerle, PLLC P.O. Box 1800 Hailey, ID 83333 fxh@haemlaw.com	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email
J. Justin May May, Browning & May, PLLC 1419 West Washington Boise, ID 83702 jmay@maybrowning.com	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email