

District Court - SRBA  
 Fifth Judicial District  
 In Re: Administrative Appeals  
 County of Twin Falls - State of Idaho

**APR 25 2013**

By \_\_\_\_\_ Clerk  
 \_\_\_\_\_ Deputy Clerk

**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 Interim Director of the  
 Idaho Department of Water Resources,

Respondents,

and

THE IDAHO GROUND WATER  
 APPROPRIATORS, INC., and THE CITY OF  
 POCA TELLO,

Respondents-Intervenors.

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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

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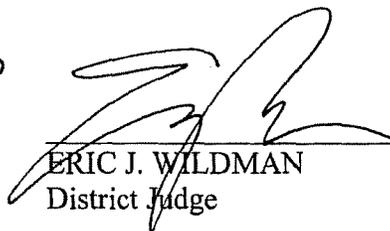
) Case No. CV 2011-512

) **JUDGMENT**  
 ) **I.R.C.P. 54(a)**

Pursuant to the *Memorandum Decision and Order on Petition for Judicial Review* (“*Memorandum Decision*”) entered by this Court in the above-captioned matter concurrently with this *Judgment*,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the *Second Amended Petition for Judicial Review* filed by the Petitioner on October 30, 2012, is hereby dismissed in part with prejudice and to those matters not dismissed the *Final Order on Remand Regarding the A&B Irrigation District Delivery Call* issued on April 27, 2011, by Director Gary Spackman in IDWR Docket No. CM-DC-2011-001 is affirmed consistent with this Court’s *Memorandum Decision*. The City of Pocatello’s and the Idaho Ground Water Appropriators, Inc.’s request for attorney’s fees is denied.

Dated April 25, 2013

  
ERIC J. WILDMAN  
District Judge

CERTIFICATE OF MAILING

I certify that a true and correct copy of the JUDGMENT was mailed on April 25, 2013, with sufficient first-class postage to the following:

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IDWR AND GARY SPACKMAN, IN HIS  
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*Julie Murphy*  
Deputy Clerk