LAWRENCE G. WASDEN Attorney General

DARRELL G. EARLY Chief, Natural Resources Division

GARRICK BAXTER #6301 SEAN COSTELLO #8743

Deputy Attorneys General Idaho Department of Water Resources P.O. Box 83720 Boise, Idaho 83720-0098 Telephone: (208) 287-4800 Facsimile: (208) 287-6700 garrick.baxter@idwr.idaho.gov sean.costello@idwr.idaho.gov

	District Court - SRBA Fifth Judicial District e: Administrative Appeals of Twin Falls - State of Ida	aho
	JUL 2 1 2020	
Ву		Clerk
	Dep	outy Clerk

Attorneys for Respondent

## IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE STATE

#### OF IDAHO, IN AND FOR THE COUNTY OF ADA

The IDAHO WATER RESOURCE BOARD, and the IDAHO DEPARTMENT OF FISH AND GAME,

Petitioners,

V

KURT W. BIRD and JANET E. BIRD,

**Cross Petitioners**,

THE IDAHO DEPARTMENT OF WATER RESOURCES,

Respondent.

IN THE MATTER OF APPLICATION FOR PERMIT NO. 74-16187 IN THE NAME OF KURT W. BIRD OR JANET E. BIRD

NOTICE OF LODGING AGENCY TRANSCRIPT AND RECORD WITH THE AGENCY – 1

NOTICE OF LODGING AGENCY TRANSCRIPT AND RECORD WITH THE AGENCY

Case No. CV01-20-09661

## TO: CLERK OF THE ABOVE COURT AND ALL PARTIES OR THEIR COUNSEL OF RECORD

In accordance with I.R.C.P. 84(j), YOU ARE HEREBY NOTIFIED that the agency record and transcript, having been prepared pursuant to IRCP 84(f) and (g), are lodged with the agency for the purpose of settlement.

A copy of the agency record and transcript are contained on one (1) DVD. The parties may pick up a copy of the transcript and record at the agency at 322 East Front Street, Boise, Idaho. The Petitioner shall pay any balance of the fee for preparation of the record and transcript prior to receiving a copy. An invoice will be forwarded to Petitioners' counsel.

The parties have fourteen (14) days from the date of this notice to file any objections to the transcript and record. If no objections are filed within that time, the transcript and record shall be deemed settled. The agency's decision on any objection timely filed along with all evidence, exhibits, and written presentation on the objection shall be included in the record. Subsequently, the agency shall lodge the settled consolidated transcript and record with the District Court pursuant to I.R.C.P. 84(k).

DATED this 21st day of July, 2020.

LAWRENCE G. WASDEN Attorney General

DARRELL G. EARLY Chief, Natural Resources Division

SEAN COSTELLO Deputy Attorney General Idaho Department of Water Resources

# **CERTIFICATE OF SERVICE**

I hereby certify that on July 21, 2020, I served a true and correct copy of the foregoing document to be filed with the Court and served on the persons listed below by the methods indicated:

## Original to:

SRBA Court 253 3<sup>rd</sup> Avenue North P.O. Box 2707 Twin Falls, ID 83303-2707

Copies to:

Michael C. Orr Deputy Attorney General PO Box 83720 Boise, ID 83720-0010 <u>Michael.orr@ag.idaho.gov</u>	U.S. Mail, postage prepaid Hand Delivery Overnight Mail Email
Ann Y. Vonde Deputy Attorney General PO Box 83720 Boise, ID 83720-0010 Ann.vonde@ag.idaho.gov	U.S. Mail, postage prepaid Hand Delivery Overnight Mail Email
Robert Harris Holden Kidwell Hahn & Crapo PO Box 50130 Idaho Falls, ID 83405 rharris@holdenlegal.com	U.S. Mail, postage prepaid Hand Delivery Overnight Mail Email
Marie Calloway Kellner Matt Nykiel Idaho Conservation League PO Box 844 Boise, ID 83701 <u>mkellner@idahoconservation.org</u> mnykiel@idahoconservation.org	U.S. Mail, postage prepaid Hand Delivery Overnight Mail Email

NOTICE OF LODGING AGENCY TRANSCRIPT AND RECORD WITH THE AGENCY – 3

U.S. Mail, postage prepaid Travis Thompson Hand Delivery Barker Rosholt & Simpson LLP **Overnight Mail** PO Box 63 Email Twin Falls, ID 83303-0063 tlt@idahowaters.com  $\boxtimes$ U.S. Mail, postage prepaid Kurt W and Janet E Bird Hand Delivery 56 Lower Texas Creek Rd Overnight Mail Leadore, ID 83464 Email U.S. Mail, postage prepaid Penny Jane Ogden-Edwards Hand Delivery 2330 S 350 W Overnight Mail Perry, UT 84302 Email U.S. Mail, postage prepaid Kerry Purcell Hand Delivery 1774 Lee Creek Road Overnight Mail Leadore, ID 83464 Email U.S. Mail, postage prepaid Purcell Ranch Partnership Hand Delivery Kerry Purcell **Overnight Mail** 98 Purcell Lane Email Leadore, ID 83464

Kimberle English, Paralegal

NOTICE OF LODGING AGENCY TRANSCRIPT AND RECORD WITH THE AGENCY – 4