

Thomas J. Budge (ISB# 7465)
Elisheva M. Patterson (ISB# 11746)
RACINE OLSON, PLLP
201 E. Center St. / P.O. Box 1391
Pocatello, Idaho 83204
(208) 232-6101 – phone
(208) 232-6109 – fax
tj@racineolson.com
elisheva@racineolson.com

Attorneys for Idaho Ground Water Appropriators, Inc. (IGWA)

**DISTRICT COURT OF THE STATE OF IDAHO
FOURTH JUDICIAL DISTRICT
ADA COUNTY**

IDAHO GROUND WATER
APPROPRIATORS, INC.,

Petitioner,

vs.

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

Respondents.

Case No. CV01-23-07893

IGWA’S PETITION FOR REHEARING


IN THE MATTER OF THE DISTRIBUTION
OF WATER TO VARIOUS WATER
RIGHTS HELD BY AND FOR THE
BENEFIT OF A&B IRRIGATION
DISTRICT, AMERICAN FALLS
RESERVOIR DISTRICT #2, BURLEY
IRRIGATION DISTRICT, MILNER
IRRIGATION DISTRICT, MINIDOKA
IRRIGATION DISTRICT, NORTH SIDE
CANAL COMPANY, AND TWIN FALLS
CANAL COMPANY

IN THE MATTER OF IGWA’S
SETTLEMENT AGREEMENT
MITIGATION PLAN

Idaho Ground Water Appropriators, Inc. (IGWA), acting for and on behalf of its members, hereby petitions the court pursuant to Rule 84(r) of the Idaho Rules of Civil Procedure and Rule 42 of the Idaho Appellate Rules for rehearing of the *Memorandum Decision and Order* and the *Judgment* issued November 16, 2023. This petition is supported by *IGWA's Brief in Support of Petition for Rehearing* filed herewith.

Respectfully submitted this 29th day of November, 2023.

RACINE OLSON, PLLP

By: 
Thomas J. Budge
Attorneys for IGWA

CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of November, 2023, I filed the foregoing document via iCourt and served it upon the persons below via email as indicated:



 Thomas J. Budge

Clerk of the Court ADA COUNTY DISTRICT COURT	iCourt
Garrick L. Baxter Deputy Attorney General Idaho Department of Water Resources garrick.baxter@idwr.idaho.gov	iCourt
Dylan Anderson DYLAN ANDERSON LAW PO Box 35 Rexburg, Idaho 83440 dylan@dylanandersonlaw.com	iCourt
Skyler C. Johns Nathan M. Olsen Steven L. Taggart OLSEN TAGGART PLLC 1449 E 17th St, Ste A PO Box 3005 Idaho Falls, ID 83403 sjohns@olsentaggart.com nolsen@olsentaggart.com staggart@olsentaggart.com icourt@olsentaggart.com mcastro@olsentaggart.com	iCourt
John K. Simpson Travis L. Thompson MARTEN LAW P. O. Box 63 Twin Falls, ID 83303-0063 tthompson@martenlaw.com jsimpson@martenlaw.com jnielsen@martenlaw.com	iCourt

<p>W. Kent Fletcher FLETCHER LAW OFFICE P.O. Box 248 Burley, ID 83318 wkf@pmt.org brd@pmt.org</p>	<p>iCourt</p>
<p>Sarah A Klahn Maximilian Bricker SOMACH SIMMONS & DUNN 2033 11th Street, Ste 5 Boulder, Co 80302 sklahn@somachlaw.com mbricker@somachlaw.com</p>	<p>iCourt</p>
<p>Candice McHugh Chris Bromley MCHUGH BROMLEY, PLLC 380 South 4th Street, Suite 103 Boise, ID 83702 cbromley@mchughbromley.com cmchugh@mchughbromley.com</p>	<p>iCourt</p>