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District Court - SRBA Fifth Judicial District In Re: Administrative Appeals County of Twin Falls - State of Idaho
JUN 28 2021
By _____ Clerk
Deputy Clerk

*Attorney for American Falls Reservoir
District #2 and Minidoka Irrigation District*

IN THE SUPREME COURT OF THE STATE OF IDAHO

**JEFFREY and CHANA DUFFIN, husband
and wife;**

Petitioners-Appellants,

vs.

**IDAHO DEPARTMENT OF WATER
RESOURCES,**

Respondent-Respondent,

and

**A&B IRRIGATION DISTRICT, BURLEY
IRRIGATION DISTRICT, MILNER
IRRIGATION DISTRICT, NORTH SIDE
CANAL COMPANY, TWIN FALLS CANAL
COMPANY, AMERICAN FALLS
RESERVOIR DISTRICT #2, and
MINIDOKA IRRIGATION DISTRICT,**

Intervenors-Respondents.

Supreme Court No. 48769-2021

Bingham County Case No. CV06-20-
1467

**SURFACE WATER COALITION'S
OBJECTION TO CLERK'S
RECORD**

**IN THE MATTER OF APPLICATION FOR
TRANSFER NO. 83160 IN THE NAME OF
JEFFREY AND CHANA DUFFIN.**

**TO: THE ABOVE NAMED PARTIES AND COUNSEL OF RECORD, AND THE
CLERK OF THE SUPREME COURT OF THE STATE OF IDAHO.**

COME NOW, Intervenors-Respondents, A&B Irrigation District, Burley Irrigation District, Milner Irrigation District, North Side Canal Company, Twin Falls Canal Company American Falls Reservoir District #2, and Minidoka Irrigation District (collectively hereinafter referred to as "Surface Water Coalition" or "Coalition"). Surface Water Coalition, by and through counsel of record Barker Rosholt & Simpson LLP and Fletcher Law Office, and pursuant to I.A.R. 29(a) hereby objects to the clerk's record filed in this matter on May 28, 2021.

The Coalition requests the clerk to add the following documents to the clerk's record previously filed with the Idaho Supreme Court:

- *Unopposed Motion to Modify Briefing Schedule*, filed November 20, 2020
- *Order Grant Motion to Modify Briefing Schedule*, filed November 23, 2020
- *Ldgd: Petitioners Opening Brief*, filed December 4, 2020
- *Lodged: Respondent's Response Brief*, filed January 8, 2021
- *Ldgd: Surface Water Coalition's Response Brief*, filed January 11, 2021
- *2nd Unopposed Motion to Modify Briefing Schedule*, filed January 21, 2021
- *Order Granting Motion to Modify Briefing Schedule*, filed January 22, 2021
- *Ldgd: Petitioners' Reply Brief*, filed February 2, 2021
- *Oral Argument Held*, filed February 11, 2021
- *Minutes*, filed February 11, 2021
- *Memorandum Decision*, filed February 22, 2021
- *Judgement*, filed February 22, 2021
- *Notice Of Appeal Filed*, filed April 2, 2021
- *Notice of Lodging – Reporters Transcript*, filed May 26, 2021

The clerk's record includes a repository of the documents filed with the court in the underlying appeal. R003. Although these documents are included on the list of documents filed, *id.*, the above mentioned documents are not included in the record filed with the Court.

Since these documents were filed with the District Court, they should be included in the record on appeal.

DATED this 28th day of June, 2021.

BARKER ROSHOLT & SIMPSON LLP



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Travis L. Thompson
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Attorneys for A&B Irrigation District, Burley Irrigation District, Milner Irrigation District, North Side Canal Company, Twin Falls Canal Company

FLETCHER LAW OFFICE



for
for W. Kent Fletcher

Attorneys for American Falls Reservoir District #2 and Minidoka Irrigation District

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 28 day of June, 2021, I served true and correct copies of the foregoing was filed electronically using the Court's e-file system, and upon such filing the following parties were served electronically:

Idaho Supreme Court
Clerk of the Court of Appeals
P.O. Box 83720
Boise, ID 83720-0101

- U. S. Mail
- Hand Delivered
- Overnight Mail
- iCourt
- E-mail

Snake River Basin Adjudication
Clerk of the Court
P.O. Box 2707
Twin Falls, Idaho 83303-2707

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- Hand Delivered
- Overnight Mail
- iCourt
- E-mail

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