

Travis L. Thompson, ISB #6168  
Garrett M. Kitamura, ISB #11502  
Abby R. Bitzenburg, ISB #12198  
PARSONS BEHLE & LATIMER  
163 Second Ave. West  
P.O. Box 63  
Twin Falls, Idaho 83303-0063  
Telephone: (208) 733-0700  
Email: [TThompson@parsonsbehle.com](mailto:TThompson@parsonsbehle.com)  
[GKitamura@parsonsbehle.com](mailto:GKitamura@parsonsbehle.com)  
[ABitzenburg@parsonsbehle.com](mailto:ABitzenburg@parsonsbehle.com)

*Attorneys for A&B Irrigation District*

**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.

IDAHO DEPARTMENT OF WATER  
RESOURCES, and MATHEW WEAVER,  
in his capacity as Director of the Idaho  
Department of Water Resources,

Respondents.

**Case No. CV34-26-00462**

**STIPULATED MOTION FOR STAY**

IN THE MATTER OF DISTRIBUTION OF  
WATER TO VARIOUS WATER RIGHTS  
HELD BY AND FOR THE BENEFIT OF  
A&B IRRIGATION DISTRICT,  
AMERICAN FALLS RESERVOIR  
DISTRICT NO. 2, BURLEY IRRIGATION  
DISTRICT, MILNER IRRIGATION  
DISTRICT, MINIDOKA IRRIGATION  
DISTRICT, NORTH SIDE CANAL  
COMPANY, AND TWIN FALLS CANAL  
COMPANY.

COME NOW, the Petitioner, A&B Irrigation District (“A&B” or “District”), the Respondents, the Idaho Department of Water Resources and Mathew Weaver, in his capacity as Director of the Department (collectively “IDWR”), Intervenors American Falls-Aberdeen Ground Water District (“AFA”), the Coalition of Cities, and the Idaho Ground Water Appropriators, Inc. (“IGWA”), by and through their undersigned counsel of record, and hereby jointly move this Court for an order staying the appeal in the above-captioned matter.

Earlier this spring, A&B, AFA, and other ground water districts represented by IGWA reached a resolution over a dispute concerning the ground water districts’ 2024 Stipulated Plan and the addition of three new districts to that mitigation plan. As part of those negotiations, A&B agreed to stay this appeal until December 31, 2027, consistent with the stipulated stay entered in *IGWA v. IDWR*, Ada County Dist. Ct. Case No. CV01-23-13173. *See Order Granting Stipulated Motion to Extend Stay* (Jan. 21, 2025).

A&B, AFA, the other ground water districts, and IGWA continue to implement stipulated mitigation plans through this year and 2027. *See Order Approving First Addendum and Granting Related Relief* (CM-MP-2024-003; May 7, 2026); *Order Approving A&B Irrigation District’s Interim Stipulated Plan for 2026 & 2027* (CM-MP-2026-003; May 14, 2026). Staying this litigation is in the best interests of the parties at this time and will allow for continued negotiations and implementation of those mitigation plans for the next two years. IDWR and the Coalition of Cities agree with this proposed stipulated stay and join the other parties in requesting this stay consistent with the background set forth above.

The parties reserve all rights with respect to this case, and nothing in this motion or the terms of the stay shall be used against any party in any future proceeding. The parties request that this matter remain stayed until December 31, 2027, after which time the parties will either

(1) stipulate to dismissal of the above-captioned matter, or (2) will file a notice with the Court asking the Court to move forward with considering A&B's petition for judicial review.

DATED this 28<sup>th</sup> day of May 2026.

PARSONS BEHLE & LATIMER

/s/ Travis L. Thompson

Travis L. Thompson

*Attorneys for Petitioner A&B Irrigation  
District*

OFFICE OF THE ATTORNEY GENERAL

/s/ Garrick L. Baxter

Garrick L. Baxter

*Attorneys for Respondents Idaho  
Department of Water Resources and  
Mathew Weaver, in his capacity as Director  
of the Department of Water Resources*

RACINE OLSON, PLLP

/s/ Thomas J. Budge

Thomas J. Budge

*Attorneys for Intervenor Idaho Ground  
Water Appropriators, Inc.*

SOMACH SIMMONS & DUNN, P.C.

/s/ Maximilian Bricker

Maximilian Bricker

*Attorneys for Intervenor American Falls-  
Aberdeen Ground Water District*

MCHUGH BROMLEY, PLLC

*/s/ Chris M. Bromley* \_\_\_\_\_  
Chris M. Bromley

*Attorneys for Intervenor Coalition of Cities*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 28<sup>th</sup> day of May, 2026, the foregoing was filed electronically using the Court’s e-file system, and upon such filing the following parties were served electronically.

<p>Deputy Clerk Minidoka Conty Dist. Ct. 715 G Street P.O. Box 368 Rupert, Idaho 83350</p> <p>Via iCourt</p>	<p>Skyler Johns Nathan Olsen Steven Taggart Olsen Taggart, PLLC P.O. Box 3005 Idaho Falls, ID 83404 *** service by electronic mail only</p> <p><a href="mailto:sjohns@olsentaggart.com">sjohns@olsentaggart.com</a> <a href="mailto:nolsen@olsentaggart.com">nolsen@olsentaggart.com</a> <a href="mailto:staggart@olsentaggart.com">staggart@olsentaggart.com</a></p>	<p>T.J. Budge Racine Olson, PLLP P.O. Box 1391 Pocatello, ID 83204-1391 *** service by electronic mail only <a href="mailto:tj@racineolson.com">tj@racineolson.com</a> <a href="mailto:tessa@racineolson.com">tessa@racineolson.com</a></p>
<p>Candice McHugh Chris Bromley McHugh Bromley, PLLC 380 South 4<sup>th</sup> Street, Ste. 103 Boise, ID 83702 *** service by electronic mail only</p> <p><a href="mailto:cbromley@mchughbromley.com">cbromley@mchughbromley.com</a> <a href="mailto:cmchugh@mchughbromley.com">cmchugh@mchughbromley.com</a></p>	<p>Sarah A. Klahn Maximilian C. Bricker Somach Simmons &amp; Dunn 2033 11<sup>th</sup> Street, Ste. 5 Boulder, CO 80302 *** service by electronic mail only</p> <p><a href="mailto:sklahn@somachlaw.com">sklahn@somachlaw.com</a> <a href="mailto:mbricker@somachlaw.com">mbricker@somachlaw.com</a></p>	<p>Director Mathew Weaver Garrick Baxter Sarah Tschohl Idaho Dept. of Water Resources 322 E Front St. Boise, ID 83720-0098 *** service by electronic mail <a href="mailto:file@idwr.idaho.gov">file@idwr.idaho.gov</a> <a href="mailto:garrick.baxter@idwr.idaho.gov">garrick.baxter@idwr.idaho.gov</a> <a href="mailto:sarah.tschohl@idwr.idaho.gov">sarah.tschohl@idwr.idaho.gov</a></p>

*/s/ Travis L. Thompson*  
\_\_\_\_\_  
Travis L. Thompson