

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF THE PETITION FOR)
DELIVERY CALL OF A&B IRRIGATION) **ORDER DENYING PETITION**
DISTRICT FOR THE DELIVERY OF GROUND) **FOR RECONSIDERATION**
WATER AND FOR THE CREATION OF A)
GROUND WATER MANAGEMENT AREA)
_____)

On June 30, 2009, the Director of the Department of Water Resources (“Director” or “Department”)¹ issued a *Final Order Regarding the A&B Irrigation District Delivery Call* (“Final Order”) in response to exceptions filed by the A&B Irrigation District (“A&B”) to the independent hearing officer’s recommended orders. On July 14, 2009, A&B timely filed its *Petition for Reconsideration of Director’s June 30, 2009 Final Order Regarding the A&B Irrigation District Delivery Call* (“Petition for Reconsideration”).

On July 28, 2009, the Department received *IGWA and Pocatello’s Response to A&B’s Petition for Reconsideration of Director’s June 30, 2009 Final Order Regarding the A&B Irrigation District’s Delivery Call*, in which it was stated that: “The record in this matter supports the Director’s June 30, 2009 Final Order that A&B is not water short and has not suffered material injury to its Ground Water Right No. 36-2080. . . . Therefore, the Director’s June 30, 2009 Final Order should be affirmed and A&B’s Request for Reconsideration should be denied.”

ORDER

The Director has reviewed the Final Order, Petition for Reconsideration, and considered A&B’s arguments. The Director concludes that no further action is necessary. Based upon the foregoing, it is hereby ordered that A&B’s Petition for Reconsideration is DENIED.

Dated this 4th day of August 2009.



GARY SPACKMAN
Interim Director

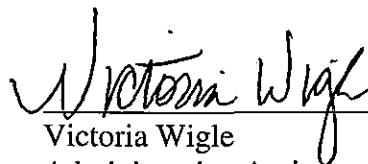
¹ On June 30, 2009, former Director David R. Tuthill, Jr. retired. Gary Spackman was appointed Interim Director of the Department by Governor Otter on July 17, 2009.

CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy of the following attached document on the persons listed below by mailing in the United States mail, first class with the correct postage affixed thereto, as well as by electronic mail to those persons listed with e-mail addresses, on this 4th day of August 2009.

<p>John K. Simpson Barker Rosholt & Simpson 1010 West Jefferson, Ste. 102 PO Box 2139 Boise, ID 83701-2139 jks@idahowaters.com</p>	<p>Travis L. Thompson Barker Rosholt & Simpson 113 Main Ave West, Suite 303 P.O. Box 485 Twin Falls, ID 83303-0485 tlt@idahowaters.com</p>	<p>Roger D. Ling PO Box 623 Rupert, ID 83350 rdl@idlawfirm.com</p>
<p>Randall C. Budge Racine Olson Nye Budge & Bailey PO Box 1391 201 E Center Street Pocatello, ID 83204-1391 rcb@racinelaw.net</p>	<p>Candice M. McHugh Racine Olson Nye Budge & Bailey 101 S Capitol Suite 208 Boise, ID 83702 cmm@racinelaw.net</p>	<p>Sarah A. Klahn White & Jankowski LLP 511 Sixteenth Street Suite 500 Denver, CO 80202 sarahk@white-jankowski.com</p>
<p>Jerry Rigby Rigby Andrus and Moeller 25 North Second East Rexburg, ID 83440 jrigby@rigby-thatcher.com</p>	<p>A. Dean Tranmer City of Pocatello Post Office Box 4169 Pocatello, ID 83201 dtranmer@pocatello.us</p>	<p>Robert E. Williams Fredericksen Williams Meservy & Lothspeich LLP 153 East Main Street PO Box 168 Jerome, ID 83338</p>
<p>Lary S. Larson Hopkins Roden Crockett Hansen & Hoopes PLLC PO Box 51219 Idaho Falls, ID 83405-1219</p>	<p>Gregory P. Meacham MEACHAM & DUSTIN, PLLC 2000 Jennie Lee Drive Idaho Falls, ID 83404</p>	<p>William A. Parsons Parsons Smith & Stone, LLP 137 West 13th Street PO Box 910 Burley, ID 83318</p>
<p>James C. Tucker Idaho Power Company 1221 West Idaho Street Boise, ID 83702-5627</p>	<p>James S. Lochhead Michael A. Gheleta Brownstein Hyatt Farber Schreck PC. 410 Seventeenth Street Suite 2200 Denver, CO 80202</p>	<p>Michael D. O'Hagan Office of Chief Counsel U.S. Department of Energy 1955 Fremont Avenue MS 1209 Idaho Falls, ID 83415-1510</p>
<p>Josephine P. Beeman Beeman & Associates P.C. 409 West Jefferson Street Boise, ID 83702</p>	<p>M. Jay Meyers Meyers Law Office PLLC 300 North Seventh Avenue PO Box 4747 Pocatello, ID 83205</p>	<p>Gary L. Cooper Cooper and Larsen 151 North 3rd Ave – 2nd Floor P.O. Box 4229 Pocatello, ID 83205-4229</p>
<p>Michael Patterson, President Desert Ridge Farms, Inc. PO Box 185 Paul, ID 83347</p>	<p>Neil and Julie Morgan 762 West Hwy 39 Blackfoot, ID 83221</p>	<p>Charlene Patterson, President Patterson Farms of Idaho 277 N 725 Lane W Paul, ID 83347</p>

City of Firth Box 37 Firth, ID 83236	B.J. Driscoll McGrath Meacham & Smith PLLC 414 Shoup PO Box 50731 Idaho Falls, ID 83405	City of Castleford PO Box 626 300 Main Castleford, ID 83321
Winding Brook Corporation C/o Charles W. Bryan Jr. UBS Agrivest LLC PO Box 53 Nampa, ID 83653	LaDell and Sherry R. Anderson 304 N 500 W Paul, ID 83347	O.E. Feld & Berneta Feld 1470 S 2750 W Aberdeen, ID 83210
Mary Ann Plant 480 N 150 W Blackfoot, ID 83221	Jeff Feld 719 Bitterroot Drive Pocatello, ID 83201	Eugene Hruza PO Box 66 Minidoka, ID 83343
Todd Lowder 2607 W 1200 S Sterling, ID 83210	City of Basalt PO Box 178 Basalt, ID 83218	F. Randall Kline PO Box 97 American Falls, ID 83211
Fred & Phyllis Stewart 300 Sugar Leo Road St. George, UT 84790	Richard J. Kimmel 867N 800E Shelley, ID 83274	Steve L. Stephens City of Arco 260 Grand Avenue PO Box 736 Arco, ID 83213



Victoria Wigle
Administrative Assistant to the Director
Idaho Department of Water Resources