

In the Supreme Court of the State of Idaho

IN THE MATTER OF ACCOUNTING FOR)
DISTRIBUTION OF WATER TO THE)
FEDERAL ON-STREAM RESERVOIRS IN)
WATER DISTRICT 63 BEFORE THE)
IDAHO DEPARTMENT OF WATER)
RESOURCES.)

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BALLANTYNE DITCH COMPANY, BOISE)
VALLEY IRRIGATION DITCH COMPANY,)
CANYON COUNTY WATER COMPANY,)
EUREKA WATER COMPANY, FARMERS')
CO-OPERATIVE DITCH COMPANY,)
MIDDLETON MILL DITCH COMPANY,)
MIDDLETON IRRIGATION)
ASSOCIATION, INC., NAMPA &)
MERIDIAN IRRIGATION DISTRICT, NEW)
DRY CREEK DITCH COMPANY, PIONEER)
DITCH COMPANY, PIONEER)
IRRIGATION DISTRICT, SOUTH BOISE)
WATER COMPANY, THURMAN MILL)
DITCH COMPANY,)

Petitioners-Respondents,)
and)

BOISE PROJECT BOARD OF CONTROL,)
and NEW YORK IRRIGATION DISTRICT,)

Petitioners-Respondents,)
v.)

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

Respondents-Appellants,)
and)

SUEZ WATER IDAHO, INC.,)

Intervenor-Respondent.)

ORDER GRANTING MOTION FOR
JUDICIAL NOTICE

Supreme Court Docket No. 44746-2017

Snake River Basin Adjudication No.
CVWA-2015-21376 (Consolidated Ada
County No. CVWA-2015-21391)

Ref. No. 18-128

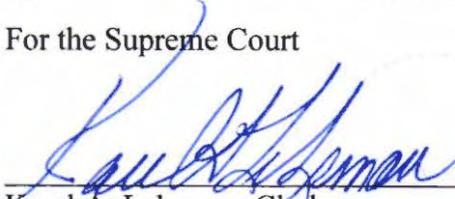
DEPARTMENT'S MOTION FOR JUDICIAL NOTICE AND STATEMENT IN SUPPORT with attachments, was filed by counsel for Appellants on April 6, 2018, requesting this Court take judicial notice of documents that were part of this Court's record in a previous appeal, *State of Idaho, et al. v. Idaho Conservation League, et al. (In re SRBA Case No. 39576-Basin-Wide Issue #5A)*, 131 Idaho 329, 955 P.2d 1108 (1998). Therefore; after due consideration,

IT HEREBY IS ORDERED that DEPARTMENT'S MOTION FOR JUDICIAL NOTICE AND STATEMENT IN SUPPORT be, and hereby is, GRANTED and this Court shall take judicial notice of the documents listed below, copies of which were attached to the Motion, and placed with the EXHIBITS for the convenience of the Court.

1. Special Master's Recommendation on Basin-Wide Issue 5A, In Re SRBA Case No. 39576, file-stamped April 11, 1996; and
2. Memorandum Decision Re: Basin-Wide Issue 5A, In Re SRBA Case No. 39576, file-stamped July 19, 1996

DATED this 24th day of April, 2018.

For the Supreme Court


Karel A. Lehrman, Clerk

cc: Counsel of Record