

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

IN THE MATTER OF DISTRIBUTION OF WATER )	<b>CM-DC-2011-003</b>
TO WATER RIGHTS NOS. 36-07072 AND )	
36-08356 )	<b>ORDER REQUIRING SEAPAC OF</b>
(SEAPAC OF IDAHO) )	<b>IDAHO, INC. TO SUPPLEMENT</b>
_____ )	<b>DELIVERY CALL</b>

On July 12, 2011, the Department received a letter from SeaPac of Idaho, Inc. (“SeaPac”), alleging that they are being materially injured by diversions of water by junior priority ground water rights. SeaPac’s letter constitutes a delivery call pursuant to the Department’s conjunctive management rules, IDAPA 37.03.11.010.04 (A delivery call is “[a] request from the holder of a water right for administration of water rights under the prior appropriation doctrine.”). IDAPA 37.03.11.30.01 sets forth specific information that must be included in a delivery call. Much of the information required under IDAPA 37.03.11.30.01 was not included in SeaPac’s delivery call.

**ORDER**

IT IS HEREBY ORDERED that SeaPac must supplement the delivery call with the information required under IDAPA 37.03.11.30.01. The supplemental information shall be provided prior to the August 8, 2011 prehearing conference.

Dated this 29<sup>th</sup> day of July, 2011.



\_\_\_\_\_  
Gary Spackman  
Interim Director

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 29<sup>th</sup> day of July 2011, the above and foregoing, was served by the method indicated below, and addressed to the following:

RANDY BUDGE  
CANDICE MCHUGH  
RACINE OLSON  
PO BOX 1391  
POCATELLO ID 83204-1391  
[rcb@racinelaw.net](mailto:rcb@racinelaw.net)  
[cmm@racinelaw.net](mailto:cmm@racinelaw.net)

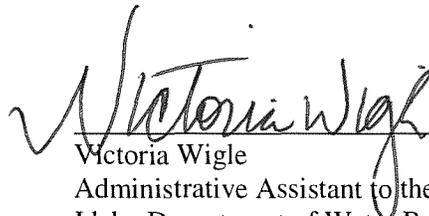
U.S. Mail, Postage Prepaid  
 Facsimile  
 E-mail

MIKE CREAMER  
JEFF FEREDAY  
GIVENS PURSLEY  
PO BOX 2720  
BOISE ID 83701-2720  
(208) 388-1300  
[mcc@givenspursley.com](mailto:mcc@givenspursley.com)  
[jefffereday@givenspursley.com](mailto:jefffereday@givenspursley.com)

U.S. Mail, Postage Prepaid  
 Facsimile  
 E-mail

GEOFFREY WARDLE  
HAWLEY TROXELL  
PO BOX 1617  
BOISE ID 83701-1617  
[gwardle@hawleytroxell.com](mailto:gwardle@hawleytroxell.com)

U.S. Mail, Postage Prepaid  
 Facsimile  
 E-mail

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