

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

IN THE MATTER OF THE MITIGATION
PLAN FILED BY THE UPPER BIG LOST
RIVER GROUND WATER ASSOCIATION

Docket No. CM-MP-2017-001

**ORDER VACATING CONTINUED
PREHEARING CONFERENCE AND
DISMISSING CONTESTED CASE**

BACKGROUND

On October 13, 2017, the Upper Big Lost River Ground Water Association (“UBLRGWA”) filed with the Idaho Department of Water Resources (“Department”) a *Mitigation and Aquifer Enhancement Plan of and for the Upper Big Lost River Ground Water Association Users* (“Mitigation Plan”) pursuant to Rule 50.04 of the Department’s Water Distribution Rules for Water District 34 (IDAPA 37.03.12.050.04) and the Department’s Rules for Conjunctive Management of Surface and Ground Water Resources (IDAPA 37.01.11).

The Department published notice of the Mitigation Plan in the Arco Advertiser, Challis Messenger, and Post Register on November 16th and 23rd, 2017.

Big Lost River Ground Water District; Idaho Ground Water Appropriator’s, Inc.; Big Lost River Irrigation District; and Joel S. Andersen filed protests to the Mitigation Plan. The Director of the Department (“Director”) considered this matter a contested case pursuant to the Department’s Rules of Procedure (IDAPA 37.01.01) and notified the parties of a prehearing conference.

On March 13, 2018, Harvey Walker filed a Petition to Intervene which the Director granted on March 27, 2018.

The Director held a prehearing conference on March 29, 2018. All parties were present at the prehearing conference. The parties agreed to schedule a continued prehearing conference on April 25, 2018.

On April 19, 2018, the Director received a letter from the UBLRGWA withdrawing the Mitigation Plan. Accordingly, the Director will vacate the continued prehearing conference and dismiss the contested case.

ORDER

Based upon and consistent with the foregoing, IT IS HEREBY ORDERED that the continued prehearing conference set for April 25, 2018, is VACATED and the contested case in the above-captioned matter is DISMISSED.

DATED this 20th day of April 2018.



GARY SPACKMAN
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of April 2018, I served a true and correct copy of the above and foregoing document by the method(s) indicated to the following:

RICK MAUTHE
UPPER BIG LOST RIVER GWA
PO BOX 122
MACKAY ID 83251
ublrwa@gmail.com

- U.S. Mail, postage prepaid
- Hand Delivery
- Overnight Mail
- Facsimile
- Email

RANDALL C BUDGE
THOMAS J BUDGE
RACINE OLSON NYE & BUDGE
PO BOX 1391
POCATELLO ID 83204-1391
rcb@racinelaw.net
rjb@racinelaw.net

- U.S. Mail, postage prepaid
- Hand Delivery
- Overnight Mail
- Facsimile
- Email

W KENT FLETCHER
FLETCHER LAW OFFICE
PO BOX 248
BURLEY ID 83318
wkf@pmt.org

- U.S. Mail, postage prepaid
- Hand Delivery
- Overnight Mail
- Facsimile
- Email

JOEL S ANDERSEN
2791 N 3375 W
MOORE ID 83255
andersenangus@gmail.com

- U.S. Mail, postage prepaid
- Hand Delivery
- Overnight Mail
- Facsimile
- Email

HARVEY WALKER
2338 N 2930 W
ARCO ID 83213
why@atcnet.net

- U.S. Mail, postage prepaid
- Hand Delivery
- Overnight Mail
- Facsimile
- Email

LUCUS YOCKEY
WD34 WATERMASTER
PO BOX 53
MACKAY ID 83251
watermaster34@atcnet.net

- U.S. Mail, postage prepaid
- Hand Delivery
- Overnight Mail
- Facsimile
- Email



Kimi White