



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

June 23, 2017

**RE: Notice of Cancellation of Settlement Discussions in the Matter of Whether to Designate the Big Lost River Basin a Critical Ground Water Area or a Ground Water Management Area (P-CGWA-2016-001)**

Dear Parties,

The Idaho Department of Water Resources' (Department) Director Gary Spackman, acting as hearing officer in the matter of *Whether to Designate the Big Lost River Basin a Critical Ground Water Area or a Ground Water Management Area*, held a prehearing conference on May 3, 2017. During the prehearing conference, parties to the matter requested an opportunity to enter into settlement discussions to resolve their difference regarding management area designations in the Big Lost River Basin. The hearing officer agreed to the request and subsequently issued a scheduling order on May 9, 2017, establishing a hearing timeline that accommodated settlement discussions.

On June 7, 2017, I sent out notice to parties coordinating the first settlement discussion meeting, which was scheduled for June 28, 2017, in Arco. On June 20, 2017, the Department received a Notice of Withdrawal of Petitions from Rose Bernal, Butte County Commissioner and Moj Broadie Big Lost River Ground Water District Chairman, withdrawing their respective petitions. On June 23, 2017, the hearing officer ordered *"that the Petitioners' request to withdraw their respective petitions is granted and the contested case in this matter is dismissed."* The hearing officer further ordered *"that the dates scheduled for the second prehearing conference and the hearing schedule adopted in the Scheduling Order are vacated."*

Given that there are no longer petitions for the designation of a ground water management area or a critical ground water area or even an active contested case, **the settlement meeting scheduled for 4:00 – 7:00 pm, Wednesday June 28, 2017, at the Butte County Memorial Annex Building, 326 W. Grand Ave., Arco, Idaho and all future settlement discussions are hereby cancelled.**

Documents related to this contested case, including the petitioner's notice of withdrawal and the hearing officer's order dismissing the contested case can be found at the Department's webpage at the following web link:

<https://idwr.idaho.gov/legal-actions/administrative-actions/Big-Lost-River-Basin-CGWA-petition.html>

Please email me at [mathew.weaver@idwr.idaho.gov](mailto:mathew.weaver@idwr.idaho.gov) or call me at (208) 287-4800 with any questions prior to our first settlement discussion.

Respectfully,

A handwritten signature in blue ink, appearing to read 'M. Weaver'.

Mat Weaver, PE  
Deputy Director

**CERTIFICATE OF SERVICE**  
**IN THE MATTER OF THE BIG LOST RIVER BASIN**  
**PETITION FOR CRITICAL GROUND WATER AREA**  
**P-CGWA-2016-001**  
**(Updated June 1, 2017)**

ROSE BERNAL  
PO BOX 116  
ARCO ID 83213-0016

MOJ BROADIE  
BIG LOST RIVER GWD  
PO BOX 721  
ARCO ID 83213

THOMAS J BUDGE  
RACINE OLSON NYE & BUDGE  
PO BOX 1391  
POCATELLO ID 83204-1391

BRUCE BLACKMER  
3265 W 2900 N  
MOORE, ID 83255

MELVIN MARX HINTZE  
4372 W HOUSTON ROAD  
MACKAY ID 83251-4507

COLE ERB  
UPPER BIG LOST RIVER GWA  
PO BOX 122  
MACKAY ID 83251

VAL C AND HEATHER I CARTER  
1025 S 1500 W  
PINGREE ID 83262

KENT FLETCHER  
FLETCHER LAW OFFICE  
PO BOX 248  
BURLEY ID 83318-0248

JIM SPECK  
SPECK & AANESTAD  
PO BOX 987  
KETCHUM ID 83340

FRITZ X HAEMMERLE  
HAEMMERLE LAW PLLC  
PO BOX 1800  
HAILEY ID 83333

KATHRYN J CONANT  
JAMIE GOUGH  
USDA FOREST SERVICE  
324 25<sup>TH</sup> STREET  
OGDEN UT 84401

LIN F HINTZE  
PO BOX 125  
MACKAY ID 83251

NANCY MCCASLIN  
RICK MAUTHE  
PO BOX 9  
MACKAY ID 83251

RICK REYNOLDS  
3253 W 2800 N  
ARCO ID 83213

JAMES RINDFLEISCH  
3258 N 3350 W  
MOORE ID 83255