

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

IN THE MATTER OF THE PETITION
REGARDING STORAGE RESET IN
WATER DISTRICT 01 FILED BY MILNER
IRRIGATION DISTRICT

Docket No. P-WRA-2017-002

**INTERLOCUTORY ORDER
ACCEPTING 2019 SETTLEMENT
AND EXTENDING STAY ORDER**

BACKGROUND

On August 23, 2019, the parties submitted to the Director an *Interim 2019 Stipulation and Joint Motion for Order Approving Stipulation / Joint Motion for Stay* (“2019 Interim Stipulation”). The 2019 Interim Stipulation requests the Director stay this matter in order to allow the parties to seek relevant relief from the Snake River Basin Adjudication Court in the fall of 2019. In order to allow interim resolution of the reset issue, the parties ask the Director to issue an order accepting the 2019 Interim Stipulation for the 2019 calendar year and instruct the Water District 01 watermaster to:

- 1) Reset storage accounts and begin accounting for and distributing, in priority, natural flow to reservoir storage rights as of October 1, 2019, for the next annual storage volume period.

2019 Interim Stipulation at 3.

The parties further discussed and explained the 2019 Interim Stipulation to the Department at the August 28, 2019, status conference in this matter and verbally requested the Director approve it.

The Department’s Rules of Procedure authorize the Director to consider and accept settlement proposals. *See* IDAPA 37.01.01.612-614. The Director has considered and will accept the 2019 Interim Stipulation for the fall of 2019 and stay this proceeding.

ORDER

Based upon and consistent with the foregoing, IT IS HEREBY ORDERED that the contested case in this matter is STAYED until issuance of a decision from the SRBA Court in relation to the subordination of Reclamation’s Lake Walcott water right.

IT IS FURTHER ORDERED that the 2019 Interim Stipulation is ACCEPTED for the 2019 calendar year. The Water District 01 watermaster is instructed to:

- 1) Reset storage accounts and begin accounting for and distributing, in priority, natural flow to reservoir storage water rights¹ as of October 1, 2019, for the next annual storage volume period.

DATED this 11th day of September 2019.



GARY SPACKMAN
Director

¹ The reservoir storage water rights are: 1-219, 1-2064, 1-2068, 1-4055, 1-10042, 1-10043, 1-10044, 1-10045, 1-10401, 1-10620, 1-10621A, 1-10621B, 1-10622, 1-10623, 21-2156, 21-4155, 21-10560, 21-13161, 21-13194, 21-2154, 21-2161, 21-12946, 21-13193, 25-7004, 25-14413A, and 25-14413B.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11 day of September 2019, I served a true and correct copy of the foregoing document by U.S. mail, postage prepaid to the following:

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