

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

IN THE MATTER OF ACCOUNTING)	
FOR DISTRIBUTION OF WATER)	ORDER STAYING
TO THE FEDERAL ON-STREAM)	PROCEEDING
RESERVOIRS IN WATER)	
DISTRICT 01)	
_____)	

On October 22, 2013, the Director (“Director”) of the Idaho Department of Water Resources (“Department”) signed an order initiating a contested case and formal proceeding to address objections of certain water users to how water is counted or credited toward the fill of water rights for the federal on-stream reservoirs in Water District 01 (“WD01”), titled *Notice of Contested Case and Formal Proceedings, and Notice of Status Conference* (“Order”). The Order established a deadline of December 4, 2013, for water users with the right to divert, store, or use water in WD01 to submit objections to or statements in support of the current accounting method. On December 9, 2013, the Director conducted a status conference at the Clarion Hotel in Pocatello, Idaho.

On or before the December 4, 2013 deadline, the Department received comments from numerous water users and entities. One procedural issue raised was whether this proceeding should be stayed in light of the appeal pending before the Idaho Supreme Court involving Basin-Wide Issue No. 17 (“BWI-17”), Idaho Supreme Court Docket No. 40976-2013. Proponents of the stay argued that, because the issues on appeal in the BWI-17 proceeding could impact the issues in the contested case for water accounting in WD01, the contested case should be stayed until a decision has been issued by the Idaho Supreme Court.

Upon consideration of the written comments submitted to the Department and testimony provided at the status conference held in this matter, the Director agrees this proceeding should be stayed until after the issuance of a decision by the Idaho Supreme Court in the BWI-17 appeal.

ORDER

IT IS THEREFORE ORDERED that the contested case entitled “In the Matter of Accounting for Distribution of Water to the Federal On-Stream Reservoirs in Water District 01” shall be stayed pending the Idaho Supreme Court’s issuance of its written decision in Idaho

Supreme Court Docket No. 40976-2013. A similar order is being issued in the contested case entitled "In the Matter of Accounting for Distribution of Water to the Federal On-Stream Reservoirs in Water District 63."

Dated this 27th day of December, 2013.


GARY SPACKMAN
Director

CERTIFICATE OF SERVICE

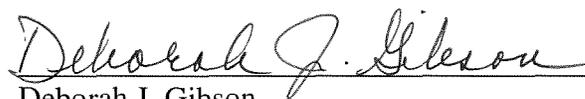
I HEREBY CERTIFY that on this 27th day of December, 2013, I served the foregoing *ORDER STAYING PROCEEDING* to the following and by the method indicated below:

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<p>CONSOLIDATED FARMERS CANAL 3215 N 2000 W REXBURG ID 83440</p>	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
<p>SOUTHEAST IDAHO CANAL CO PO BOX 15 ST ANTHONY ID 83445</p>	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
<p>THE NEW LAVASIDE DITCH CO LTD ATTN VON CORNELISON 66 E RIVER RD BLACKFOOT ID 83221</p>	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email

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DE LLOYD JACOBSON PO BOX 68 SWAN VALLEY ID 83449	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
TED MICKELSEN 2255 N 4000 W TETONIA ID 83452	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
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GARY DIAL 1448 N 800 E SHELLEY ID 83274	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
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CLIFFORD SEARLE 500 E 500 S BURLEY ID 83316	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
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STEVEN MURDOCK PEOPLES CANAL & IRRIGATION CO. 1050 W HWY 39 BLACKFOOT ID 83221	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Email
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