

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF DISTRIBUTION OF WATER)
TO VARIOUS WATER RIGHTS HELD BY OR FOR)
THE BENEFIT OF A&B IRRIGATION DISTRICT,)
AMERICAN FALLS RESERVOIR DISTRICT #2,)
BURLEY IRRIGATION DISTRICT, MILNER)
IRRIGATION DISTRICT, MINIDOKA IRRIGATION)
DISTRICT, NORTH SIDE CANAL COMPANY,)
AND TWIN FALLS CANAL COMPANY)
)
(Water District Nos. 34, 110, 120, and 130))
_____)

**ORDER ON PETITIONS
FOR RECONSIDERATION**

On May 23, 2007, the Director of the Department of Water Resources (“Director” or “Department”) issued an order in the above-entitled matter. *Fifth Supplemental Order Amending Replacement Water Requirements Final 2006 & Estimated 2007* (“May 23 Order”). The May 23 Order was a final order of the Department. Because the May 23 Order was issued before an opportunity for hearing, the Order stated that any person aggrieved by the Order would be entitled to a hearing before the Director to contest the action pursuant to Idaho Code § 42-1701A(3). *May 23 Order* at 18.

Timely petitions for reconsideration were subsequently filed by the City of Pocatello, Idaho Ground Water Appropriators, Inc., and the Surface Water Coalition regarding the May 23 Order. *Pocatello’s Motion for Reconsideration of the Director’s Fifth Supplemental Order on Replacement Water Requirements Final 2006 and Estimated 2007* (June 6, 2007); *IGWA’s Petition for Reconsideration of the Director’s Fifth Supplemental Order on Replacement Water Requirements Final 2006 and Estimated 2007* (June 5, 2007); *Surface Water Coalition’s Petition for Reconsideration and Review of Fifth Supplemental Order Amending Replacement Water Requirements Final 2006 & Estimated 2007* (June 4, 2007).

ORDER

Based upon and consistent with the foregoing, IT IS HEREBY ORDERED as follows:

The requests for reconsideration are subsumed by and will be addressed through the process of providing a hearing on the objections to the May 23, 2007 Order.

DATED this 11th day of June, 2007.



DAVID R. TUTHILL, JR.
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of June, 2007, the above and foregoing, was served by the method indicated below, and addressed to the following:

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