

**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

Docket No. CM-DC-2010-001

**ORDER REVISING APRIL 2026
FORECAST SUPPLY AND
CONTINUING MAY 14, 2026
CURTAILMENT ORDER**

(METHODOLOGY STEPS 5 & 6)

The Director of the Idaho Department of Water Resources (“Department”) finds, concludes, and orders as follows:

FINDINGS OF FACT

A. Background

1. On July 19, 2023, the Department issued its *Sixth Final Order Regarding Methodology for Determining Material Injury to Reasonable In-Season Demand and Reasonable Carryover* (“*Methodology Order*”). The *Methodology Order* established nine steps for determining material injury to members of the Surface Water Coalition (“SWC”). This order applies Steps 5 and 6 of the *Methodology Order*.

2. Step 5 of the *Methodology Order* addresses the final injury determination to reasonable carryover for members of the SWC. Step 5 states:

If the storage allocations held by members of the SWC fill, there is no reasonable carryover shortfall. If the storage allocations held by members of the SWC do not fill, within fourteen (14) days following the publication of Water District 01’s initial storage report . . . the volume of water secured by junior ground water users to fulfill the reasonable carryover shortfall shall be made available to injured members of the SWC.

Methodology Order, at 43. On November 21, 2025, the Director issued the *Final Order Establishing 2025 Reasonable Carryover (Methodology Step 9)* (“*2025 Step 9 Order*”) establishing a reasonable carryover shortfall of 86,756 acre-feet. Junior ground water users were given 14 days to provide a volume of water to fulfill the carryover shortfall. No water users secured water. While the SWC’s storage allocation did not fill this year, because no water users secured water in 2025 to fulfill the carryover shortfall, there is no volume of water to be made available to the SWC under Step 5.

3. Step 6 of the *Methodology Order* states:

Approximately halfway through the irrigation season, but following the events described in Step 5, the Director will, for each member of the SWC: (1) recalculate RISD [Reasonable In-Season Demand]; (2) issue a revised FS [Forecast Supply]; and (3) estimate the Time of Need date.

Methodology Order, at 43 (footnote omitted).

4. On April 16, 2026, the Director issued his *Final Order Regarding April 2026 Forecast Supply (Methodology Steps 1 – 3)* (“*April Forecast Supply Order*”). The *April Forecast Supply Order* predicted a demand shortfall to the SWC of 181,600 acre-feet for the 2026 irrigation season. *April Forecast Supply Order*, at 4. At that time, the members of the SWC predicted to experience material injury during the 2026 irrigation season were Twin Falls Canal Company (“TFCC”) and American Falls Reservoir District #2 (AFRD2). *Id.* The Director ordered that, on or before May 1, 2026, ground water users with consumptive water rights “junior to October 11, 1900, within the Eastern Snake Plain Aquifer ACGWS [area of common ground water supply] shall establish, to the satisfaction of the Director, that they can mitigate for their proportionate share of the predicted April IDS [in-season demand shortfall] of 181,600 acre-feet in accordance with an approved mitigation plan.” *Id.* at 7. The Director also ordered that, “[i]f a junior ground water user cannot establish . . . that they can mitigate for their proportionate share of the predicted April IDS in accordance with an approved mitigation plan, the Director will issue an order curtailing the junior-priority ground water user.” *Id.*

5. On May 14, 2026, the Director issued a *Final Order Curtailing Ground Water Rights Junior to October 11, 1900* (“*Curtailment Order*”). The Director ordered that:

[E]ffective May 14, 2026, ground water users holding water rights bearing priority dates junior to October 11, 1900, within the ESPA ACGWS, and listed in Attachment A to this order, shall curtail/refrain from diversion and use of ground water pursuant to those water rights unless notified by the Department that the order of curtailment has been modified or rescinded as to their water rights.

Curtailment Order, at 3.

6. On June 17, 2026, the Director issued an *Order Amending Curtailment List to Include Unmitigated Ground Water Rights*, adding six water rights to the list of water rights subject to the *Curtailment Order*.

B. April through June Water Supply Conditions and Climate

7. The April 2026 Joint Forecast prepared by the United States Army Corps of Engineers (“USACE”) and the United States Bureau of Reclamation (“BOR”) predicted 2,300,000 acre-feet of unregulated inflow at the Snake River near Heise gage for the period April–July 2025, which equates to 70% of the 1991–2020 average. *April Forecast Supply Order*,

at 2. The Joint Forecast “is generally as accurate a forecast as is possible using current data gathering and forecasting techniques.” *Methodology Order*, at 19.

8. The June 2026 Joint Forecast prepared by the USACE and the BOR predicted 900,000 acre-feet of unregulated inflow at the Snake River near Heise gage for the period June–July 2025, which equates to 50% of the 1991–2020 average.

9. Over much of the Eastern Snake Plain and its tributary basins, precipitation was above average in April but below average in May and June. For example, according to data measured at all the Natural Resources Conservation Service’s SNOTEL sites in the Upper Snake River Basin, the basin received 110%, 55%, and 63% of average precipitation in April, May, and June, respectively. Similarly, the National Weather Service’s Twin Falls weather station reported 123%, 4%, and 53% of normal precipitation in April, May, and June, respectively. During the same time, temperatures were above average April through June. For example, the average daily temperatures reported by the National Weather Service’s Twin Falls weather station were 1.7, 4.4, and 1.6 degrees above normal for April, May, and June, respectively.

C. Reasonable In-Season Demand

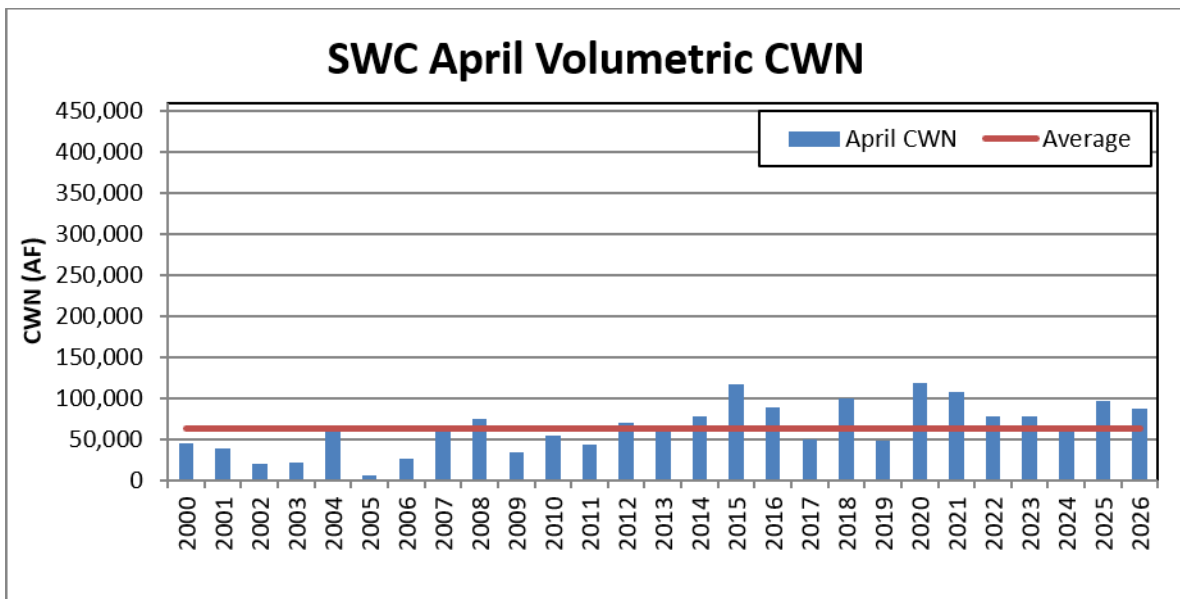
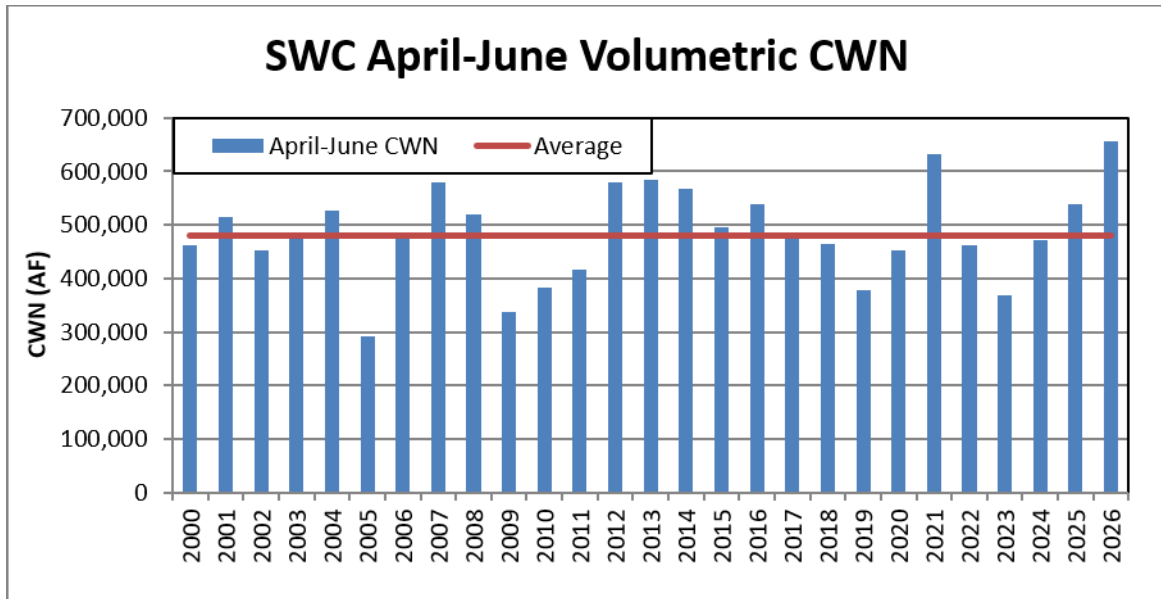
10. RISD “is the projected annual diversion volume for each SWC entity during the year of evaluation that is attributable to the projected beneficial use of growing crops within the service area of the entity.” *Methodology Order*, at 13. In April, the demand from the 2018 baseline year (“BLY”) defines the RISD. *Id.* at 17. During the irrigation season, the RISD for the completed portion of the irrigation season is recalculated by dividing the actual crop water need (“CWN”) for each entity by the project efficiency for that entity. *Id.* at 17, 43. For the remainder of the irrigation season, the RISD is the demand defined by the July–October 2018 BLY. RISD is calculated on a monthly time step.

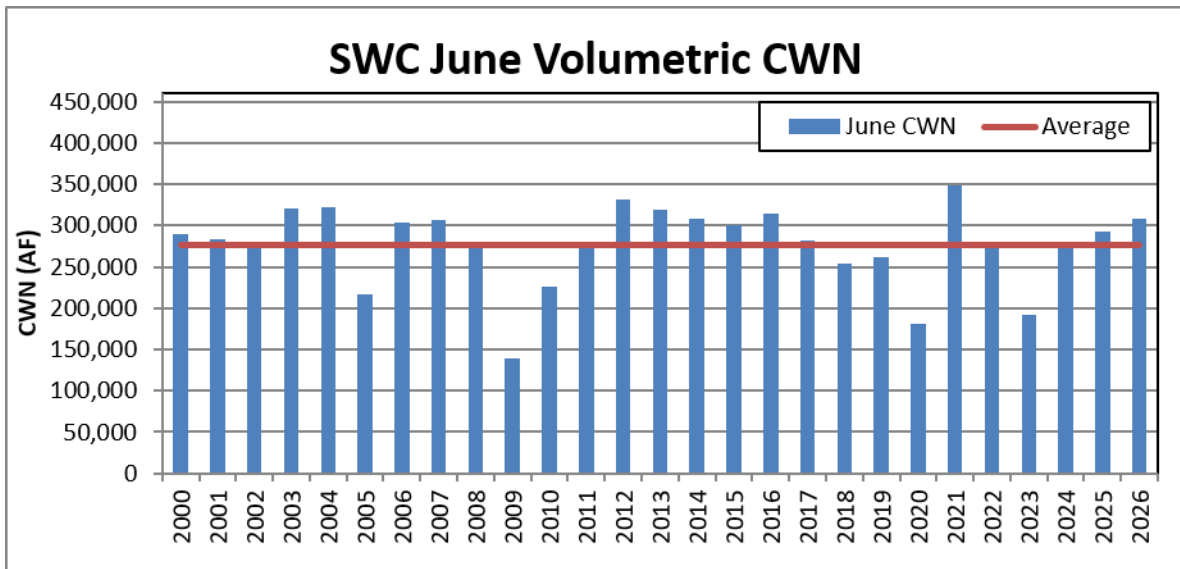
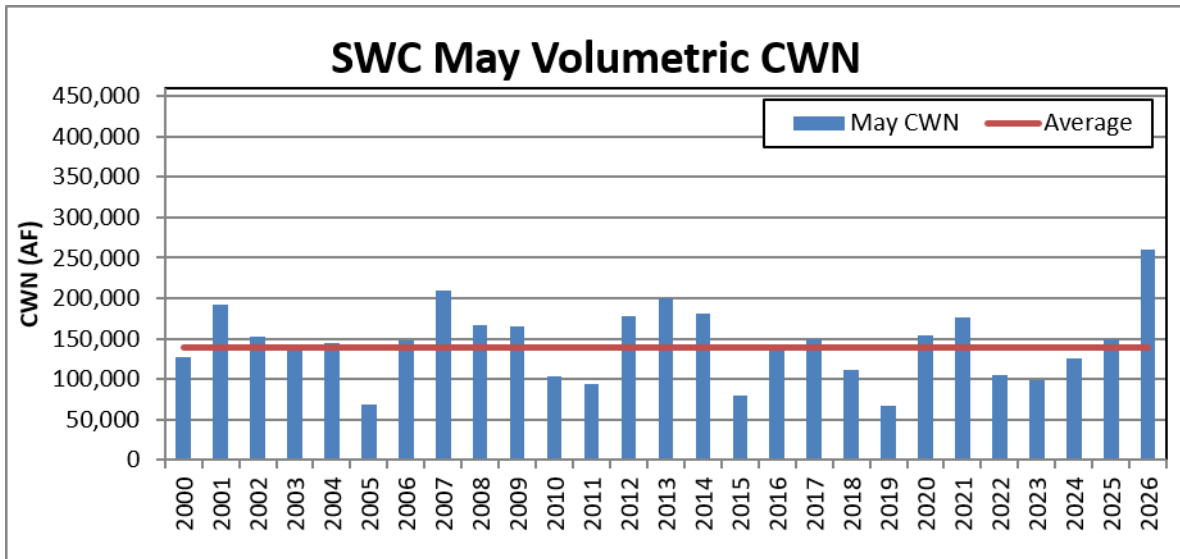
i. Crop Water Need

11. “CWN is the volume of irrigation water required for crop growth within a SWC entity boundary, such that crop growth is not limited by water availability.” *Methodology Order*, at 15. “CWN is the difference between the fully realizable consumptive use associated with crop growth, or ET [evapotranspiration], and effective precipitation . . .” *Id.*

12. CWN is an input variable for calculating RISD for the completed portion of the irrigation season. *Id.* at 17. Actual RISD for the completed portion of the irrigation season is combined with monthly predicted baseline demands for the remaining months of the irrigation season to calculate a season-total RISD volume. *Id.* at 17–18. In-season demand shortfall is then calculated as the difference between the adjusted FS and the RISD. *Id.* at 23.

13. As calculated from the beginning of the irrigation season (April 1), the SWC’s volumetric CWN for the current water year through June 30, 2026, is 657,039 acre-feet. This volume is 137% of the 2000–2025 average CWN for April 1–June 30 and 142% of the CWN for the 2018 BLY. The following graphs summarize monthly volumetric CWN values:





ii. *Extension of BLY*

14. The RISD for the remaining portion of the irrigation season (July–October) is the July–October demand for the 2018 BLY. The numeric July–October demand values are shown in the table in Finding of Fact 15 below.

iii. Calculation of RISD

15. As calculated from the beginning of the irrigation season (April 1), the SWC’s volumetric RISD for 2026 through June is 1,907,341 acre-feet. This volume is 142% of the 2000–2025 average demand from April 1–June 30 and 136% of the demand for the 2018 BLY. The recalculated RISD for each entity at this time is:

	April–June CWN (AF)	E_p (April–June)	April–June RISD (AF)	July–October Demand for 2018 BLY (AF)	Recalculated RISD (AF)
A&B	20,016	0.41-0.90	37,219	38,528	75,747 ¹
AFRD2	71,135	0.20-0.38	252,302	274,485	526,787
BID	60,537	0.30-0.46	159,472	145,546	305,019
Milner	15,961	0.35-0.66	34,414	36,432	70,846
Minidoka	103,782	0.37-0.56	223,925	196,968	420,893
NSCC	161,932	0.21-0.40	583,376	594,099	1,177,475
TFCC	223,676	0.28-0.51	616,634	653,473	1,270,107

D. Forecast Supply

16. When calculated during the irrigation season, the FS is the sum of the year-to-date actual natural flow diversions, the forecasted natural flow supply for the remainder of the season, and the storage allocation for each member of the SWC. *Methodology Order*, at 43. For this order, the FS is the sum of the actual natural flow supply from April through June, the predicted natural flow supply from July through October, and the actual storage allocations. Actual natural flow diversions for the completed portion of the irrigation season are extracted from the Department’s water rights accounting program. The natural flow diversions for the remainder of the irrigation season are estimated by regression analysis. *Id.* at 20–21, 43. Storage allocations are determined by Water District 01 after the Day of Allocation. *Id.* at 43.

i. *Sum of Actual Natural Flow Diverted*

17. Actual natural flow diverted for the period April through June for each SWC member are summarized in the table contained within the Summary of Forecast Supply section in Finding of Fact 25.

ii. *Regression Models to Predict Natural Flow (July–October)*

18. Natural flow diversions were predicted for the remainder of the irrigation season by regression analysis. The *Methodology Order* established the following predictor variables for the regression models: natural flow in the Snake River near Heise as reported by the BOR, snow water equivalent (“SWE”) data from the Two Ocean Plateau SNOTEL site, Spring Creek discharge, and ground water levels near American Falls Reservoir. *Methodology Order*, at 20.

¹The Department has modified the total A&B irrigated acreage count to 14,749 acres. Based on the decision in CV01-23-13238, the new acreage count removes A&B Irrigation District’s enlargement acres.

Unique regression models with unique predictor variable groups are established in the *Methodology Order* for each SWC member. *Id.* at 20–21.

19. Either June 15 or July 1 SWE values for the Two Ocean Plateau SNOTEL site are used as input variables in each of the regression models developed in the *Methodology Order*. *Id.* Two Ocean Plateau SWE data was selected as a predictor variable in the *Methodology Order* based upon stepwise statistical analysis carried out in the development of each regression model. *Id.* The Two Ocean Plateau SWE data is an optimum predictor variable for several reasons, including: its elevation (the site is located above 9,000 ft and typically still has snow late in the runoff season (June 15 and July 1); its location (the site is in the headwaters of the Snake River above Jackson Reservoir); and its period of record, which is sufficiently long enough to support model development.

20. On July 1, 2026, the Two Ocean Plateau SNOTEL station reported 0.0 inches of SWE. When the snow water equivalent is zero on July 1, the predicted natural flow supplies for the period July 1–October 31 for A&B, AFRD2, and Milner are zero acre-feet. *Methodology Order*, at 20.

21. The input variables used to predict July–October natural flow volumes for BID, Minidoka, and NSCC in 2026 include: (1) 5.3 inches of SWE reported by the Two Ocean Plateau SNOTEL site on June 15, 2026; (2) 1,904,721 acre-feet of natural flow runoff at the Snake River near Heise (April–June) as reported by the BOR; and (3) 27.47 feet depth to water at well 05S 31E 27ABA1 as measured by the Department on March 23, 2026.

22. The variables used to predict the July–October natural flow volume for TFCC in 2026 include: (1) 5.3 inches of the SWE reported by the Two Ocean Plateau SNOTEL Site on June 15; (2) 1,904,721 acre-feet of natural flow runoff at the Snake River near Heise (April–June) as reported by the BOR; and (3) 66,070 acre-feet of discharge (January–May) as measured and reported by the United States Geologic Survey for its Spring Creek at Sheepskin Rd Nr Fort Hall ID Gage (Gage No. 13075983).

iii. Storage Allocations

23. Preliminary storage allocation values for each member of the SWC are summarized in the table in Finding of Fact 25 below. These values are established based on reported storage for each SWC entity in Water District 01’s initial storage report published on July 9, 2026. These values include each entity’s contribution to the Water District 01 Rental Pool flow augmentation program.

iv. Adjustments to Total Supply

24. Natural flow and storage water supplies were both adjusted, as shown in the table in Finding of Fact 25 below. The adjustments to natural flow depicted in the summary table were for water wheeled by BID and Milner for the Southwest Irrigation District. The adjustments to the stored water supply depicted in the summary table were for the Minidoka Credit.

v. *Summary of Forecast Supply*

25. The following table summarizes the calculated FS and its individual components for each of the SWC members.

	Natural Flow Diverted through 6/30 (AF)	Predicted Natural Flow 7/1 to 10/31 (AF)	Natural Flow Adjustment (AF)	Preliminary Storage Allocation (AF)	Minidoka Credit Adjustment (AF)	Forecast Supply (AF)
A&B	936	0	0	106,223	0	107,159
AFRD2	7,749	0	0	363,260	1,000	372,009
BID	59,430	0	(3,714)	197,196	5,130	258,042
Milner	4,976	0	(3,011)	71,870	0	73,835
Minidoka	74,482	0	0	273,676	8,370	356,528
NSCC	163,687	42,317	0	793,715	(7,750)	991,969
TFCC	393,054	367,366	0	227,002	(6,750)	980,672

E. Revised Shortfall Prediction

26. In-season demand shortfall (“IDS”) is calculated as the difference between RISD and the FS.

27. Based on the established values above, and as summarized in the following table, the Director predicts that AFRD2, BID, Minidoka, NSCC, and TFCC will be materially injured by junior ground water pumping.

	Forecast Supply (AF)	RISD (AF)	Shortfall (AF)
A&B	107,159	75,747	0
AFRD2	372,009	526,787	154,800
BID	258,042	305,019	47,000
Milner	73,835	70,846	0
Minidoka	356,528	420,893	64,400
NSCC	991,969	1,177,475	185,500
TFCC	980,672	1,270,107	289,400
Total			741,100

28. The current predicted shortfall to the SWC’s RISD is 741,100 acre-feet.

29. The Time of Need is used to determine when, during the water year, junior ground water users mitigating for their proportionate share using storage water must deliver that storage water to the SWC. No junior ground water users are mitigating for their proportionate share using storage water this year.

F. Step 6

30. Step 6 requires the following:

Upon a determination of an additional mitigation obligation, junior ground water users will be required to establish, to the satisfaction of the Director, their ability to secure a volume of storage water or to conduct other approved activities pursuant to an approved mitigation plan that will deliver the additional mitigation obligation water to the injured members of the SWC at the Time of Need. If junior ground water users fail or refuse to submit this information within fourteen (14) days from issuance of a Step 6 order, the Director will issue an order curtailing junior ground water users. A transient ESPAM simulation will be run to determine the priority date to produce the necessary additional mitigation obligation volume by September 30 of the same year. Curtailment will be simulated within the area of common ground water supply, as described by CM Rule 50.01.

Methodology Order, at 44 (footnote omitted).

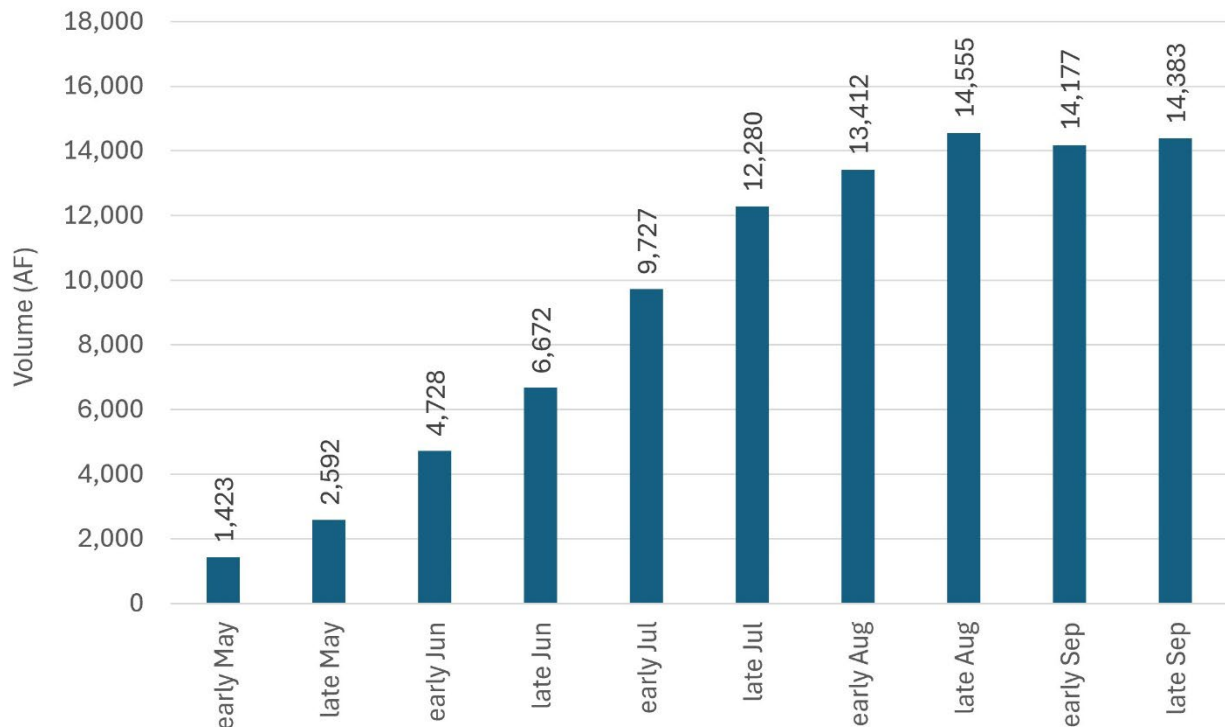
31. The total predicted July IDS for AFRD2, BID, Minidoka, NSCC, and TFCC is 741,100 acre-feet.

32. In April 2026, pursuant to the *Methodology Order*, the Department ran the Eastern Snake Plain Aquifer Model version 2.2 (“ESPAM2.2”) to calculate the priority curtailment date, such that the curtailment of all water rights junior to the date within the ACGWS, would produce a volume of water equal to the April IDS in the Snake River between May 1 and September 30.² The ESPAM2.2 simulation predicted curtailment of ground water rights bearing priority dates junior to October 11, 1900, would produce a volume of water of 94,000 AF in the near Blackfoot to Minidoka reach between May 1 and September 30 of this irrigation season. The predicted benefit was less than the April IDS of 181,600 acre-feet. The Director concluded that curtailing ground water rights bearing priority dates junior to October 11, 1900, would offset as much of the April IDS as possible. *April Forecast Supply Order*, at 5.

33. In July 2026, the Department evaluated the effect of the simulated curtailment of ground water rights bearing priority dates junior to October 11, 1900, on near Blackfoot to Minidoka reach gains during July through September. The ESPAM2.2 simulation calculated that curtailment of ground water rights junior to October 11, 1900, would produce a volume of water

² Effective July 1, 2024, Senate Bill 1341 added a new section to Idaho Code, Idaho Code § 42-233c, which modified the description of the ESPA ACGWS. S.B. 1341, 67th Leg., 2d Reg. Sess. (Idaho 2024). In accordance with S.B. 1341, the Director subsequently expanded the ESPA ACGWS. In late 2025 and early 2026, the Director expanded the ESPA ACGWS to include the Raft River tributary basin and the remainder of the Little Lost River and Big Lost River tributary basins not already included in the ACGWS. On February 2, 2026, the Director issued an order declaring that ground water users included in the ESPA ACGWS in late 2025 and early 2026 would not be subject to administration before April 1, 2027. *Order Phasing in Administration of Ground Water Rights Recently Included in the ESPA ACGWS*, at 2. Accordingly, at this time, ground water users in the Raft River tributary basin and the remainder of the Little Lost River and Big Lost River tributary basins who were newly included into the ESPA ACGWS and hold consumptive water rights bearing priority dates junior to October 11, 1900, are not subject to administration.

of 78,500 AF in the near Blackfoot to Minidoka reach between July 1 and September 30 of this irrigation season. The following figure summarizes the results of the ESPAM2.2 simulation:



Modeled increase in ESPAM discharge to near Blackfoot to Minidoka reach from curtailment of ground water junior to October 11, 1900

34. The predicted July through September benefits to the near Blackfoot to Minidoka reach from curtailment of ground water rights bearing priority dates junior to October 11, 1900, are less than the July IDS of 741,100 acre-feet. Continuing the curtailment of ground water rights junior to October 11, 1900, will offset as much of the July IDS as possible.

CONCLUSIONS OF LAW

1. Idaho Code § 42-602 authorizes the Director to supervise water distribution within water districts:

The director of the department of water resources shall have direction and control of the distribution of water from all natural water sources within a water district to the canals, ditches, pumps and other facilities diverting therefrom. Distribution of water within water districts created pursuant to section 42-604, Idaho Code, shall be accomplished by watermasters as provided in this chapter and supervised by the director. The director of the department of water resources shall distribute water in water districts in accordance with the prior appropriation doctrine. The provisions of chapter 6, title 42, Idaho Code, shall apply only to distribution of water within a water district.

2. Idaho Code § 42-607 states the watermaster, under the direction of the Idaho Department of Water Resources, shall regulate diversions “during times of water scarcity, in order to supply the prior rights of others from such stream or water supply”

3. This year, no water is required to be allocated to the SWC pursuant to Step 5 related to a reasonable carryover shortfall because no junior water users secured water in 2025 to fulfill the carryover shortfall.

4. This year, because no junior ground water users are mitigating for their proportionate share using storage water, the Time of Need as described in Step 6 is not applicable.

5. Based on the Findings of Fact 6 through 27 above, it is reasonably certain AFRD2, BID, Minidoka, NSCC, and TFCC will be materially injured. The calculated shortfall to AFRD2, BID, Minidoka, NSCC, and TFCC is 741,100 acre-feet.

6. The May 14, 2026 *Curtailment Order* curtailed ground water users holding water rights bearing priority dates junior to October 11, 1900, which is the priority date equal to TFCC’s Water Right No. 1-209, the most senior SWC natural flows water right predicted to be injured. Using the ESPAM2.2, the Department has determined that the continued curtailment of ground water rights bearing priority dates junior to October 11, 1900, would produce a volume of water of 78,500 AF in the near Blackfoot to Minidoka reach between July 1 and September 30 of this irrigation season. This would result in a volume of water less than the predicted July IDS of 741,100 acre-feet. Accordingly, continuing the curtailment of ground water rights junior to October 11, 1900, is necessary for curtailment to offset as much of the July IDS as possible.

7. Because the curtailment date remains October 11, 1900, the Director will not issue a new curtailment order under Step 6. The May 14, 2026 *Curtailment Order*, as subsequently modified by the June 17, 2026 *Order Amending Curtailment List to Include Unmitigated Ground Water Rights*, will remain in full force and effect.³

ORDER

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

The Director predicts an in-season IDS of 741,100 acre-feet. The May 14, 2026 *Curtailment Order*, as modified by the June 17, 2026 *Order Amending Curtailment List to*

³ There are five approved mitigation plans responding to the SWC delivery call, each is stipulated to by the SWC: (1) No. CM-MP-2015-003 for the benefit of A&B; (2) No. CM-MP-2010-001 for the benefit of Southwest Irrigation District and Goose Creek Irrigation District (collectively, “SWID”); (3) No. CM-MP-2024-003 for the benefit of the Ground Water Districts; (4) No. CM-MP-2019-001 for the benefit of the Coalition of Cities; and (5) No. CM-MP-2007-001 for the benefit of the Water Mitigation Coalition. Due to the nature of the mitigation plans for A&B, SWID, the Ground Water Districts, the Coalition of Cities, and the Water Mitigation Coalition, these entities do not need to establish that they can mitigate for their proportionate share of the predicted IDS. On May 1, 2026, Hearing Officer Gerald Schroeder issued a *Preliminary Order Approving Falls Water’s Stipulated Mitigation Plan* in Department Docket No. CM-MP-2026-002. Exceptions to the *Preliminary Order* are pending so the order has not become final yet pursuant to Idaho Code § 67-5245 and IDAPA 37.01.01.730.

Include Unmitigated Ground Water Rights, remains in full force and effect. All ground water users holding water rights listed in Attachment A to the May 14, 2026 *Curtailment Order* and listed in the June 17, 2026 *Order Amending Curtailment List to Include Unmitigated Ground Water Rights* bearing priority dates junior to October 11, 1900, shall continue to be curtailed from diversion and use of ground water pursuant to those water rights unless they are mitigating in accordance with an approved mitigation plan or are notified by the Department that the order of curtailment has been modified or rescinded as to their water rights.

Dated this 21st day of July 2026.



MATHEW WEAVER
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of July 2026, the above and foregoing was served by the method indicated below and addressed to the following:

John K. Simpson IdaH20, PLLC PO Box 152 Boise, ID 83701-0152 jks@idahowaters.com	☒ U.S. Mail, postage prepaid ☒ Email
Travis L. Thompson Abby R. Bitzenburg PARSONS BEHLE & LATIMER PO Box 63 Twin Falls, ID 83303-0063 tthompson@parsonsbehle.com abitzenburg@parsonsbehle.com	☒ U.S. Mail, postage prepaid ☒ Email
Norman M. Semanko Garrett M. Kitamura PARSONS BEHLE & LATIMER 800 W. Main Street, Suite 1300 Boise, Idaho 83702 nsemanko@parsonsbehle.com gkitamura@parsonsbehle.com	☒ U.S. Mail, postage prepaid ☒ Email
Thomas J. Budge RACINE OLSON PO Box 1391 Pocatello, ID 83204-1391 tj@racineolson.com	☒ U.S. Mail, postage prepaid ☒ Email
David W. Gehlert Natural Resources Section U.S. DOJ, Environment and Natural Resources Div. 999 18 th St., South Terrace, Suite 370 Denver, CO 80202 david.gehlert@usdoj.gov	☒ U.S. Mail, postage prepaid ☒ Email
Matt Howard US Bureau of Reclamation 1150 N Curtis Road Boise, ID 83706-1234 mhoward@usbr.gov	☒ U.S. Mail, postage prepaid ☒ Email
Sarah A Klahn Maximilian C. Bricker Somach Simmons & Dunn 1155 Canyon Blvd, Ste. 110 Boulder, CO 80302 sklahn@somachlaw.com mbricker@somachlaw.com	☒ U.S. Mail, postage prepaid ☒ Email
Rich Diehl City of Pocatello PO Box 4169 Pocatello, ID 83205 rdiehl@pocatello.us	☒ U.S. Mail, postage prepaid ☒ Email

Candice McHugh Chris Bromley MCHUGH BROMLEY, PLLC PO Box 107 Boise, ID 83701 cmchugh@mchughbromley.com cbromley@mchughbromley.com	☒ U.S. Mail, postage prepaid ☒ Email
Robert E. Williams WILLIAMS, MESERVY, & LOTHSPREICH, LLP PO Box 168 Jerome, ID 83338 rewilliams@wmlattys.com	☒ U.S. Mail, postage prepaid ☒ Email
Robert L. Harris HOLDEN, KIDWELL, HAHN & CRAPO, PLLC PO Box 50130 Idaho Falls, ID 83405 rharris@holdenlegal.com	☒ U.S. Mail, postage prepaid ☒ Email
Zachary H. Jones City Attorney, City of Idaho Falls PO Box 50220 Idaho Falls, ID 83405 zjones@idahofalls.gov	☒ U.S. Mail, postage prepaid ☒ Email
Skyler C. Johns Nathan M. Olsen Steven L. Taggart OLSEN TAGGART PLLC PO Box 3005 Idaho Falls, ID 83403 sjohns@olsentaggart.com nolsen@olsentaggart.com staggart@olsentaggart.com	☒ U.S. Mail, postage prepaid ☒ Email
Dylan Anderson DYLAN ANDERSON LAW PLLC PO Box 35 Rexburg, Idaho 83440 dylan@dylanandersonlaw.com	☒ U.S. Mail, postage prepaid ☒ Email

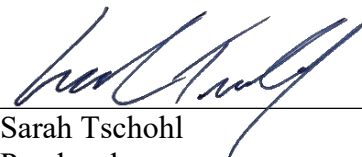
COURTESY COPIES VIA EMAIL TO:

Craig Chandler
IDWR—Eastern Region
craig.chandler@idwr.idaho.gov

Corey Skinner
IDWR—Southern Region
corey.skinner@idwr.idaho.gov

William A. Parsons
PARSONS, LOVELAND, SHIRLEY & MILLER, LLP
wparsons@pmt.org
wparsons@magicvalley.law

Jerry R. Rigby
Michelle Mortimer
RIGBY, ANDRUS & RIGBY LAW, PLLC
jrigby@rex-law.com
mmortimer@rex-law.com
Andrew J. Waldera
SAWTOOTH LAW OFFICES, PLLC
andy@sawtoothlaw.com



Sarah Tschohl
Paralegal

EXPLANATORY INFORMATION TO ACCOMPANY A FINAL ORDER

(To be used in connection with actions when a hearing was **not** held)

The accompanying document is a “**Final Order**” issued by the Idaho Department of Water Resources (“Department”) pursuant to Idaho Code § 67-5246. The following statements describe the procedures and time limits for seeking reconsideration or other administrative relief as required by Idaho Code § 67-5248.

PETITION FOR RECONSIDERATION

(See Idaho Code § 67-5246(4))

Any party may file a petition for reconsideration of this final order within fourteen (14) days of the service date of this order as shown on the certificate of service. **Note: the petition must be received by the Department within this fourteen (14) day period.** The presiding officer will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law.

REQUEST FOR HEARING

(See Idaho Code § 42-1701A(3))

Unless the right to a hearing before the Director or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order, or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter shall be entitled to a hearing before the Director to contest the action. The person shall file with the Director, within fifteen (15) days after receipt of written notice of the action issued by the Director, or receipt of actual notice, a written petition stating the grounds for contesting the action by the Director and requesting a hearing. **Note: The request must be received by the Department within this fifteen (15) day period.**

CERTIFICATE OF SERVICE

(See IDAPA 37.01.01.053, 37.01.01.202)

All documents filed with the Department in connection with a petition for reconsideration or a request for hearing of this final order shall be served on all other parties to the proceeding in accordance with Rules 53 and 202 of the Department’s Rules of Procedure.