

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

IN THE MATTER OF THE PETITION FOR )  
DELIVERY CALL OF A&B IRRIGATION )  
DISTRICT FOR THE DELIVERY OF GROUND )  
WATER AND FOR THE CREATION OF A )  
GROUND WATER MANAGEMENT AREA )  
\_\_\_\_\_ )

**NOTICE OF STATUS  
CONFERENCE**

**PLEASE TAKE NOTICE** that the Director of the Department of Water Resources (“Director” or “Department”) has set a status conference in this matter for **September 20, 2007, starting at 10:00 a.m. (MST)** at the Department’s offices located at 322 E. Front Street, Boise, Idaho, in Conference Rooms C and D. The status conference will be recorded.

Parties provided with notice must be represented at the conference in person or by telephone. If participating by telephone, please dial 713-577-1201 and provide participant code 260503.

The purpose of the status conference is to discuss the *Motion to Proceed* filed by A&B Irrigation District (“A&B”) on its *Petition for Delivery Call* initially filed on July 26, 1994. A&B agreed to entry of an order staying action on the *Petition for Delivery Call*, which was issued on May 1, 1995. Under the stay order, A&B reserved the right to request the Director to resume administration of junior ground water rights under the *Petition*.

The *Motion to Proceed* does not indicate that it was served upon the approximately 200 respondents in this matter who filed responses to the *Petition* in 1994. Moreover, more than 12 years have elapsed since the commencement of this action. Numerous new junior ground water users are now subject to curtailment if the relief requested in the *Petition* is granted, yet these

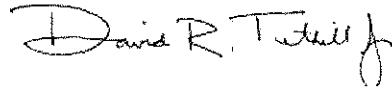
new users have never been provided notice of the pendency of this action. Thus, while the Department is serving the present *Notice of Status Conference* only upon counsel for A&B, and other select counsel who are active in the two delivery call proceedings currently set for hearing before the Department or who otherwise are expected to represent parties in the matter, A&B will be directed to serve its *Motion to Proceed* upon all parties to the proceeding pursuant to Department Rule of Procedure 203 before the Director takes formal action on the motion. IDAPA 37.01.01.203. At the status conference an updated service list will be developed to provide notice to the organizations representing water users including new water users that have emerged since 1994.

Given the complexity of the factual determinations that must be made in determining material injury and the extent of the hydraulic connection between the ground water supplies lying below the A&B Irrigation District and the Eastern Snake Plain Aquifer and the need to afford all participants an opportunity to gather the pertinent information and data necessary to the prosecution of this case, the Director has determined that the earliest feasible date for a hearing in this matter is March 18, 2008. Therefore, the participants at the status conference to be held on September 20, 2007 shall be prepared to recommend a pre-hearing scheduling order consistent with conducting a hearing in this matter to commence on March 18, 2008, unless the parties agree upon an acceptable alternate date for commencement of the hearing.

The conference will be conducted in accordance with the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the conference, please advise the Department prior to the conference. Inquires for special accommodations should be directed to Victoria Wigle, Administrative

Assistant to the Director, Idaho Department of Water Resources, P.O. Box 83720, Boise, Idaho  
83720-0098, telephone: (208) 287-4803, fax: (208) 287-6700.

Dated this 13<sup>th</sup> day of September 2007.



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DAVID R. TUTHILL, JR.  
Director

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13<sup>th</sup> day of September 2007, the above and foregoing, was served by the method indicated below, and addressed to the following:

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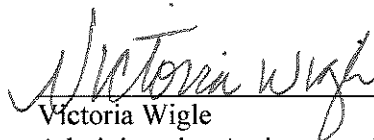
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