

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

IN THE MATTER OF DESIGNATING THE  
EASTERN SNAKE PLAIN AQUIFER  
GROUND WATER MANAGEMENT AREA

Docket No. AA-GWMA-2016-001

**ORDER GRANTING REQUEST  
FOR HEARING; NOTICE OF PRE-  
HEARING CONFERENCE**

**BACKGROUND**

On November 4, 2016, the Director (“Director”) of the Idaho Department of Water Resources (“Department”) issued an *Order Designating the Eastern Snake Plain Aquifer Ground Water Management Area* (“ESPA GWMA Order”).

On November 16, 2016, the City of Pocatello, the Coalition of Cities,<sup>1</sup> and Sun Valley Company (“SVC”) each filed petitions for reconsideration of the ESPA GWMA Order.<sup>2</sup> SVC also filed a *Petition Requesting a Hearing on Order Designating the Eastern Snake Plain Aquifer Ground Water Management Area*.<sup>3</sup>

Idaho Code § 42-1701A(3) states, in relevant part:

Unless the right to a hearing before the director... is otherwise provided by statute, any person aggrieved by any action of the director ... 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 same.

Because SVC has not previously been afforded an opportunity for hearing on the ESPA GWMA Order, the Director will grant SVC’s request for hearing in accordance with Idaho Code § 42-1701A(3).

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<sup>1</sup> The cities participating as the Coalition of Cities in this matter are Bliss, Buhl, Burley, Carey, Delco, Dietrich, Gooding, Hazelton, Heyburn, Jerome, Paul, Richfield, Rupert, and Wendell.

<sup>2</sup> On November 23, 2016, SVC filed an amended petition for reconsideration and a joinder in the petitions for reconsideration filed by the City of Pocatello and the Coalition of Cities.

<sup>3</sup> The Idaho Ground Water Appropriators, Inc.; the City of Pocatello; and the Surface Water Coalition timely filed petitions to intervene in this matter.

## ORDER

Based on and consistent with the foregoing, IT IS HEREBY ORDERED that SVC's request for hearing on the ESPA GMWA Order is GRANTED.

### NOTICE OF PRE-HEARING CONFERENCE

The Director hereby gives notice that a pre-hearing conference will be held **January 12, 2017, at 11:00 a.m. (MDT)**, at the offices of the Department located at 322 E. Front Street, 6<sup>th</sup> Floor, Boise, Idaho. The presiding officer will be Director Gary Spackman.

All parties to the matter must be represented at the pre-hearing conference in person or by telephone and prepared to discuss availability for identifying a hearing date. If participating by telephone, please dial **1-720-279-0026** and enter guest code when prompted: **321188#**.

The pre-hearing conference will be held in accordance with provisions of Chapters 2 and 17, Title 42 and Chapter 52, Title 67, Idaho Code, and the adopted Rules of Procedure of the Department, IDAPA 37.01.01. A copy of the Rules of Procedure may be obtained from the Department upon request.

DATED this 1<sup>st</sup> day of December, 2016.



Gary Spackman  
Director

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2<sup>nd</sup> day of December 2016, the above and foregoing was served on the following by the method(s) indicated below:

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