

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

IN THE MATTER OF THE BIG WOOD
RIVER GROUND WATER MANAGEMENT
AREA

**AMENDED STIPULATION TO
WITHDRAW PETITION FOR HEARING**

IN THE MATTER OF APPLICATIONS
FOR PERMITS FOR THE DIVERSION
AND USE OF SURFACE AND GROUND
WATER WITHIN THE SNAKE RIVER
BASIN

On May 16, 2023, the Board of Commissioners of Elmore County and the Idaho Department of Water Resources executed their Stipulation to Withdraw Petition for Hearing. After execution and filing, it was discovered that Paragraph 1 of the agreement referenced the wrong page of the Snake Moratorium Order. The error is corrected in bold font, below.

On October 21, 2022, the Director of the Idaho Department of Water Resources (“Department”) issued his *Amended Snake River Basin Moratorium Order* (“Snake Moratorium”). On November 4, 2022, the Board of Commissioners of Elmore County (“Elmore County”) filed a *Petition for Hearing* related to the Snake Moratorium. In the Petition, Elmore County requested a hearing on the “propriety of the [Snake Moratorium].” *Petition for Hearing* at 5.

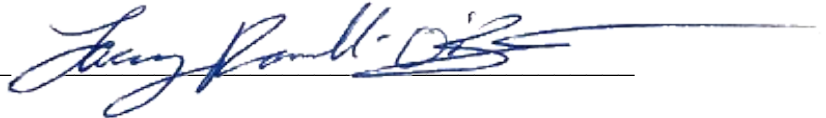
On March 10, 2023, the Department held a prehearing conference. Following the joint prehearing conference, an agreement was reached between Elmore County and the Department:

1. Pursuant to Paragraph 8 on page **29** of the Snake Moratorium Order, the Department will begin processing Elmore County’s Application for Permit 2-10535, filed on March 3, 2017, and agrees to continue processing the Application toward a final decision with reasonable diligence. The Department’s agreement to process the Application for Permit 2-10535 is not an agreement to approve the Application.
2. Based on the above, Elmore County agrees to withdraw its Petition for Hearing in the Snake River Moratorium proceedings by filing a notice of withdrawal pursuant to the Department’s Rule of Procedure 303. The County’s agreement to withdraw its Petition is not a waiver of the County’s right to pursue further relief after the Department issues a final decision on the Application.

Dated the 22nd day of May, 2023.



Dylan B. Lawrence
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Attorney for Board of
Commissioners of Elmore County



Lacey Rammell O'Brien
Deputy Attorney General
Attorney for IDWR

CERTIFICATE OF SERVICE

I certify that on the 22nd day of May 2023, I served or caused to be served the AMENDED STIPULATION TO WITHDRAW PETITION FOR HEARING to the parties by the following method(s):

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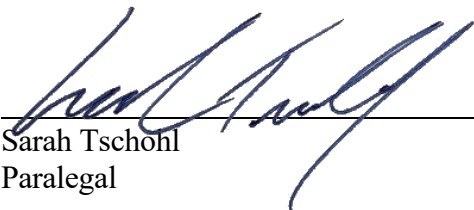
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