



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

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**BRAD LITTLE**  
Governor

**GARY SPACKMAN**  
Director

June 7, 2019

**RE: Notice of Pending Curtailment of Non-Enlargement Ground Water Rights with Priority Dates Junior to April 12, 1994 and Enlargement Ground Water Rights Junior to March 14, 1971 - Surface Water Coalition Delivery Call**

Dear Water Right Holder,

You are receiving this letter because, according to the records of the Idaho Department of Water Resources ("Department"), you are the holder of one or more ground water rights subject to curtailment pursuant to the attached June 7, 2019, curtailment order issued by the Director of the Department in response to the water delivery call by members of the Surface Water Coalition ("SWC"). The SWC includes 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. The SWC called for delivery of their water rights under the Department's Rules for Conjunctive Management of Surface and Ground Water Resources (IDAPA 37.03.11) ("CM Rules").

The SWC delivery call applies to ground water rights for irrigation, commercial, industrial, municipal, non-exempt domestic uses, and other consumptive uses. Non-consumptive uses and culinary in-house uses of water are not subject to curtailment under the order.

The curtailment order requires that, at 12:01 a.m. on or before June 21, 2016, ground water users holding non-enlargement ground water rights bearing priority dates junior to April 12, 1994 and enlargement ground water rights junior to March 14, 1971 within the Eastern Snake Plain Aquifer area of common ground water supply ("ESPA ACGWS"), and listed in Attachment A to the order, must 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pursuant to those water rights, unless notified by the Department that the order of curtailment has been modified or rescinded as to their water rights. The curtailment order also requires that watermasters for the water districts within the ESPA ACGWS who regulate ground water are directed to review the water rights listed in Attachment A to the order and begin contacting the water right holders in their respective districts to evaluate and determine how the water rights will be curtailed.

Because you are the holder of one or more ground water rights listed in Attachment A to the curtailment order, you must curtail/refrain from any diversion under the above referenced water right(s) in compliance with the order, unless and until you receive further direction from the Department or watermaster after the watermaster has consulted with the Department.

The curtailment order explains that holders of ground water rights affected by the order may participate in an approved mitigation plan, such as the plan filed by the Idaho Ground Water Appropriator's Inc. and SWC in Docket No. CM-MP-2016-001. The ground water right holders shall have fifteen days to join, solely for mitigation purposes, the ground water district situated nearest the lands to which the water rights are appurtenant. *See* H.B. No. 737 (*Act Relating to the Administration of Ground Water Rights Within the Eastern Snake River Plain*, ch. 356, 2006, *Idaho Sess. Laws* 1089) and Idaho Code § 42-5259. Holders of ground water rights affected by the curtailment order may also submit a proposed mitigation plan to the Director in accordance with CM Rule 43. *See* IDAPA 37.03.11.043. Upon receipt of a proposed mitigation plan, the Director will publish notice for two successive weeks, after which ten days will be allowed for the filing of protests. The Director will then hold a hearing as necessary to determine whether a proposed mitigation plan will mitigate injury to the SWC caused by the ground water rights at issue. If holders of ground water rights affected by this order do not participate in an approved mitigation plan by June 21, 2019, the Director will curtail the junior priority ground water use.

Information regarding the ongoing status of this curtailment may be found at: <https://idwr.idaho.gov/legal-actions/delivery-call-actions/SWC/>. If you have questions concerning this notice, please contact the Department's State Office in Boise at 208-287-4800, or the watermasters for the water districts within the ESPA ACGWS who regulate ground water.

Respectfully,



Gary Spackman  
Director

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

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| <b>IN THE MATTER OF DISTRIBUTION<br/>OF WATER TO VARIOUS WATER<br/>RIGHTS HELD BY OR FOR THE<br/>BENEFIT OF A&amp;B IRRIGATION<br/>DISTRICT, AMERICAN FALLS<br/>RESERVOIR DISTRICT #2, BURLEY<br/>IRRIGATION DISTRICT, MILNER<br/>IRRIGATION DISTRICT, MINIDOKA<br/>IRRIGATION DISTRICT, NORTH SIDE<br/>CANAL COMPANY, AND TWIN FALLS<br/>CANAL COMPANY</b> | <b>CM-DC-2010-001</b><br><br><b>FINAL ORDER CURTAILING NON-<br/>ENLARGEMENT GROUND WATER<br/>RIGHTS JUNIOR TO APRIL 12, 1994,<br/>AND ENLARGEMENT GROUND<br/>WATER RIGHTS JUNIOR TO MARCH<br/>14, 1971</b> |
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The Director of the Idaho Department of Water Resources (“Department”) finds, concludes, and orders as follows:

**FINDINGS OF FACT**

1. On April 19, 2016, the Director issued the *Fourth Amended 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”).<sup>1</sup>

2. On April 11, 2019, the Director issued the *Final Order Regarding April 2019 Forecast Supply (Methodology Steps 1-3)* (“As-Applied Order”), which applied steps 1, 2, and 3 of the Methodology Order. The Director predicted an in-season demand shortfall (“DS”) of 20,900 acre-feet. *As-Applied Order* at 3-4. The Director ordered that, by May 1, 2019, ground water users with consumptive water rights “junior to August 25, 1991, within the Eastern Snake Plain Aquifer area of common ground water supply (“ESPA ACGWS”) shall establish, to the satisfaction of the Director, that they can mitigate for their proportionate share of the predicted DS of 20,900 acre-feet in accordance with an approved mitigation plan.” *Id.* at 6. The Director also ordered that, if such a junior ground water user cannot establish they can mitigate for their proportionate share of the predicted DS “in accordance with an approved mitigation plan, the Director will issue an order curtailing the junior-priority ground water user.” *Id.*

3. On May 22, 2019, the Director received the Water District 01 Water Report (“Water Report”). The Water Report stated that the Twin Falls Canal Company (“TFCC”) leased 5,049.9 acre-feet to the Supplemental Pool according to Water District 01’s Rental Pool

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<sup>1</sup> The SWC is comprised 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.

Procedure 8.2.a.<sup>2</sup>

4. There are currently six approved mitigation plans in place responding to the SWC delivery call:

- (1) Docket No. CM-MP-2009-007 for the benefit of the Idaho Ground Water Appropriators, Inc. (“IGWA”) (delivery of stored water);
- (2) Docket No. CM-MP-2009-006 for the benefit of IGWA (conversions, dry ups and recharge);
- (3) Docket No. CM-MP-2016-001 for the benefit of IGWA (the IGWA and SWC stipulated mitigation plan);
- (4) Docket No. CM-MP-2010-001 for the benefit of the Southwest Irrigation District and Goose Creek Irrigation District (collectively, “SWID”);
- (5) Docket No. CM-MP-2019-001 for the benefit of certain cities commonly referred to as the “Coalition of Cities”; and
- (6) Docket No. CM-MP-2015-003 for the benefit of the A&B Irrigation District (“A&B”).

5. In the 2019 As-Applied Order, the Director found that due to the nature of the approved mitigation plans for SWID, IGWA and the Coalition of Cities, these entities do not need to establish they can mitigate for their proportionate share of the predicted DS. *See As-Applied Order* at 5, note 4. However, the Director concluded that A&B must mitigate for its proportionate share of the predicted DS of 20,900 acre-feet and determined that A&B’s proportionate share is 2,121 acre-feet. *Id.*

6. On April 23, 2019, A&B filed with the Department *A&B Irrigation District’s Petition for Reconsideration and Request for Hearing Re: April 2019 As Applied Order*[:] *Notice of Non-use* (“Petition”). In its Petition, A&B requests reconsideration of the Director’s determination that A&B’s “proportionate share of the predicted DS of 20,900 acre-feet is 2,121 acre-feet.” *Petition* at 2 quoting *As Applied Order* at 5, note 4. A&B also requests a hearing regarding the Director’s determination of A&B’s proportionate share of the predicted DS. *Id.* at 3. A&B also provides “notice of non-use of its junior ground water rights subject to the [As-Applied Order] for the 2019 irrigation season.” *Id.* at 4.

7. On May 1, 2019, the Coalition of Cities submitted a *Notice of Participation in Cities’ Mitigation Plan* to the Department, identifying ground water users participating in the Coalition of Cities mitigation plan for 2019.

8. On May 14, 2019, the Director issued an *Order Granting Request for Hearing* in response to A&B’s Petition. Granting the request for hearing does not stay the effectiveness of

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<sup>2</sup> The 2019 Water District 01 Rental Pool Procedures can be viewed here:  
<http://www.waterdistrict1.com/rental%20pool%20rules.pdf>



the Methodology Order, the As-Applied Order, nor this *Final Order Curtailing Non-Enlargement Ground Water Rights Junior to April 12, 1994, and Enlargement Ground Water Rights Junior to March 14, 1971. Order Granting Request for Hearing* at 2. The *Order Granting Request for Hearing* also states the Director will address A&B's statements of non-use in this order. *Id.*

## 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. As explained above, by May 1, 2019, ground water users with consumptive water rights "junior to August 25, 1991, within the Eastern Snake Plain Aquifer area of common ground water supply" had to "establish, to the satisfaction of the Director, that they can mitigate for their proportionate share of the predicted DS of 20,900 acre-feet in accordance with an approved mitigation plan." *As-Applied Order* at 6. If a junior ground water user does not establish that they can mitigate for their proportionate share of the predicted DS "in accordance with an approved mitigation plan" the ground water user will be subject to this "order curtailing the junior-priority ground water user." *Id.*

Based on the Water Report discussed above, the Director should decrease the forecasted DS by 5,049.9 acre-feet, the amount TFCC rented to the Supplemental Pool. The Methodology Order states "water supplied to private leases or to the rental pool by a SWC member will be included as a part of the SWC supply for that member because non-inclusion would unjustifiably increase the shortfall obligation." Methodology Order at 13; *see also* IDAPA 37.03.11.42.01.g and *American Falls Reservoir Dist. No. 2 v. Idaho Dept. of Water Resources*, 143 Idaho 862, 880, 154 P.3d 433, 451 (2007). Furthermore, when an SWC member leases storage water into the rental pool following a determination of a demand shortfall for that SWC member and the storage water is rented, the rental pool lease in/rental out of storage water is per se evidence that the senior water right holder does not need the water. Therefore, the revised predicted DS is 15,850.1 acre-feet and the revised priority cutoff date is April 12, 1994, for non-enlargement water rights and March 14, 1971, for enlargement water rights.<sup>3</sup>

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<sup>3</sup> The As Applied Order determined A&B's proportionate share of the predicted DS or 20,900 acre-feet was 2,121 acre-feet. This *Final Order Curtailing Non-Enlargement Ground Water Rights Junior to April 12, 1994, and Enlargement Ground Water Rights Junior to March 14, 1971's* reduction of the demand shortfall from 20,900 acre-

3. Due to the nature of the approved mitigation plans for SWID, IGWA and the Coalition of Cities, these entities do not need to establish that they can mitigate for their proportionate share of the predicted DS. Junior ground water users entitled to the protection of the SWID, IGWA and Coalition of Cities mitigation plans will not be subject to curtailment during the 2019 irrigation season.

4. As discussed above, A&B's Petition notified the Director that it "will not deliver groundwater pursuant to its referenced ground water rights subject to the [As-Applied Order] this irrigation season. Consistent with the Director's June 30, 2016 letter concerning this same issue, A&B presumes that the referenced water rights will be removed from the curtailment list as A&B will not deliver groundwater pursuant to these rights this irrigation season." Petition at 4. In 2016, A&B similarly stated that it would voluntarily curtail its enlargement water rights but then exercised its enlargement water rights. *Final Order Denying A&B Irrigation District's Petition for Reconsideration* at 2 (Dec. 20, 2016).

5. To ensure that A&B's enlargement water rights are curtailed for 2019, the Director will place the enlargement water rights on the curtailment list. The Director will instruct the Watermaster to confirm that A&B is not diverting ground water pursuant to its enlargement water rights. A&B will not have a mitigation obligation for this year if A&B curtails the enlargement ground water rights and if the priority date for curtailment for 2019 remains junior to A&B's other ground water rights.

6. Consistent with the As-Applied Order, the Director will order curtailment of junior-priority ground water users that have not established they can mitigate for their proportionate share of the predicted DS in accordance with an approved mitigation plan. Junior-priority ground water users subject to curtailment are listed in Attachment A to this order.

## ORDER

Based upon and consistent with the foregoing, IT IS HEREBY ORDERED that, at 12:01 a.m. on or before June 21, 2019, ground water users holding water rights bearing priority dates junior to April 12, 1994 and enlargement water rights bearing priority dates junior to March 14, 1971, within the ESPA ACGWS 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. This order shall apply to consumptive ground water rights, including but not limited to, agricultural, commercial, industrial, and municipal uses. This order excludes ground water rights used for *de minimis* domestic purposes where such domestic use is within the limits of the definition set forth in Idaho Code § 42-111 and ground water rights used for *de minimis* stock watering where such stock watering use is within the limits of the definitions set forth in Idaho Code § 42-1401A(11), pursuant to IDAPA 37.03.11.020.11.

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feet to 15,580 acre-feet results in a reduction to A&B's proportionate share of the demand shortfall to 1,945 acre-feet.

IT IS FURTHER ORDERED that watermasters for the water districts within the ESPA ACGWS who regulate ground water are directed to review the water rights listed in Attachment A to this order and subject to curtailment and begin contacting the water right holders in their respective districts to evaluate and determine how the water rights will be curtailed.

IT IS FURTHER ORDERED that holders of ground water rights affected by this order may participate in an approved mitigation plan through a ground water district and shall have fifteen days from the issuance of this order to join, solely for mitigation purposes, the ground water district situated nearest the lands to which the water rights are appurtenant. *See H.B. No. 737 (Act Relating to the Administration of Ground Water Rights Within the Eastern Snake River Plain, ch. 356, 2006, Idaho Sess. Laws 1089) and Idaho Code § 42-5259.* Holders of ground water rights affected by this order may also submit a proposed mitigation plan to the Director in accordance with CM Rule 43. *See IDAPA 37.03.11.043.* Upon receipt of a proposed mitigation plan, the Director will publish notice of the proposed mitigation plan for two successive weeks, after which ten days will be allowed for the filing of protests. The Director will then hold a hearing as necessary to determine whether a proposed mitigation plan will mitigate injury to the SWC caused by the ground water rights at issue. If holders of ground water rights affected by this order do not participate in an approved mitigation plan by June 21, 2019, the Director will curtail the junior priority ground water use.

Dated this 7<sup>th</sup> day of June 2019.

  
GARY SPACKMAN  
Director

Attachment A  
List of Ground Water Rights Subject to Curtailment  
Sorted by Owner

| Owner  | Water Right No. | Basis   | Priority Date | Diversion Rate (cfs) | Usage      | Total Acres | Enlarge-ment |
|--|-----------------|---------|---------------|----------------------|------------|-------------|--------------|
| A&B IRRIGATION DISTRICT; US BUREAU OF RECLAMATION  | 36-15195B       | Decreed | 4/1/1978      | 2.24                 | IRRIGATION |             | Y            |
| A&B IRRIGATION DISTRICT; US BUREAU OF RECLAMATION  | 36-15196B       | Decreed | 4/1/1981      | 0.08                 | IRRIGATION |             | Y            |
| A&B IRRIGATION DISTRICT; US BUREAU OF RECLAMATION  | 36-15127B       | Decreed | 4/1/1984      | 28.89                | IRRIGATION |             | Y            |
| AARDEMA, DONALD JOHN   | 36-10225H       | Decreed | 5/1/1985      | 0.01                 | IRRIGATION | 3           | Y            |
| ALLEN, MICHAEL D; ANDERSON, DANNY L;<br>ANDERSON, MARY ELLEN; BENEFIEL, BRADLEY C;<br>HEILESON, W MAHLON | 25-7640         | License | 4/25/1995     | 0.1                  | DOMESTIC   |             |              |
| ATKINSON, ANDREW ; ATKINSON, MARY  | 29-13736        | License | 2/21/2006     | 0.08                 | DOMESTIC   |             |              |
| BARTAUDSKY, GERALD   | 27-7456         | License | 3/28/2005     | 1.71                 | IRRIGATION | 108         |              |
| BENCH MARK POTATO CO   | 22-7534         | License | 10/28/1996    | 0.16                 | COMMERCIAL |             |              |
| BISHOP, JEREMY KEITH; BISHOP, MICHELLE   | 35-14394        | Decreed | 10/31/1986    | 0.01                 | IRRIGATION | 2           | Y            |
| BKC FARMS INC  | 21-12957        | Decreed | 9/17/1977     | 0.28                 | IRRIGATION | 151.3       | Y            |
| BLAINE COUNTY SCHOOL DISTRICT #61  | 37-21742        | License | 4/17/2006     | 0.7                  | IRRIGATION | 8.7         |              |
| BLAINE COUNTY SCHOOL DISTRICT #61  | 37-23102        |         | 2/20/2018     | 0.38                 | IRRIGATION | 4.8         |              |
| BOTHOF, GERALDA; BOTHOF, ROGER W   | 36-8805         | License | 10/31/2000    | 0.03                 | IRRIGATION | 0.8         |              |
| BRP INC  | 25-7622         | License | 9/23/1998     | 0.23                 | DOMESTIC   |             |              |
| BRUMFIELD, DALE  | 35-13320        | License | 8/7/2001      | 0.1                  | DOMESTIC   |             |              |
| BURNS CONCRETE INC   | 25-13982        |         | 12/18/2002    | 4.5                  | COMMERCIAL |             |              |
| BURRELL, GEORGE W; BURRELL, LURANA J;<br>RODRIQUEZ, FABIAN   | 29-13900        | License | 4/3/2009      | 0.08                 | DOMESTIC   |             |              |
| CANYON CREEK LATERAL DITCH ASSN  | 22-13738        | Decreed | 10/31/1978    | 4.95                 | IRRIGATION | 3816        | Y            |
| CASSIDY, FRANCIS J; HOFFMAN, RICHARD P; MEYER,<br>DAVID DANIEL; MEYER, JENNY CLUFF; TANNER,<br>TOMMY C   | 25-7638         | License | 4/25/1995     | 0.1                  | DOMESTIC   |             |              |
| CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS  | 22-13745        | License | 7/23/2007     | 0.11                 | DOMESTIC   |             |              |
| COOMBS, MICHAEL R  | 36-15565        | License | 2/5/2001      | 0.08                 | DOMESTIC   |             |              |



Attachment A  
List of Ground Water Rights Subject to Curtailment  
Sorted by Owner

| Owner  | Water Right No. | Basis   | Priority Date | Diversion Rate (cfs) | Usage                  | Total Acres | Enlarge-ment |
|--|-----------------|---------|---------------|----------------------|------------------------|-------------|--------------|
| CORP OF THE PRESIDING BISHOP CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS | 25-14231        | License | 9/18/2008     | 0.14                 | DOMESTIC               |             |              |
| COUNTRY CLUB WATER   | 25-14448        | Decreed | 10/31/1986    | 0.01                 | IRRIGATION             | 18.7        | Y            |
| COUNTY OF JEFFERSON  | 25-13985        | License | 5/13/2003     | 0                    | RECREATION STORAGE     |             |              |
| DAVIDSON, JOSEPH E   | 36-8790         | License | 4/12/1999     | 0.05                 | DOMESTIC               |             |              |
| DREW, STAN   | 29-8237         | License | 4/17/2000     | 0.11                 | DOMESTIC               |             |              |
| EAMES, LINDA J   | 25-7643         | License | 12/4/1995     | 0.18                 | DOMESTIC               |             |              |
| EVANS, MARK C; SANDERS, ROBERT D; SAWYER, KENT H; TAYLOR, BRIAN W        | 25-7639         | License | 4/25/1995     | 0.1                  | DOMESTIC               |             |              |
| FUNK, BILL   | 35-4034A        | Decreed | 4/1/1972      | 0.3                  | IRRIGATION             | 77.1        | Y            |
| FUNK, BILL   | 35-4034B        | Decreed | 4/1/1979      | 0.06                 | IRRIGATION             | 77.1        | Y            |
| GILLEN, NORMAN   | 27-7585         | License | 4/20/1999     | 0.14                 | DOMESTIC               |             |              |
| GOEDHART, HUGO; GOEDHART, MARY   | 36-8774         | License | 3/10/1998     | 0.13                 | STOCKWATER, DOMESTIC   |             |              |
| GOLDEN VALLEY DEVELOPMENTS   | 22-7805         | License | 2/16/1999     | 0.39                 | DOMESTIC               |             |              |
| HAMILTON KOOMPIN, CHERYL; KOOMPIN, RICHARD; SASSER, DALENE               | 35-14219        | License | 12/27/2011    | 0.11                 | DOMESTIC               |             |              |
| HENDRICKS, TERRY   | 22-13913        | License | 1/20/2009     | 0.17                 | DOMESTIC               |             |              |
| HERITAGE DEVELOPMENT   | 29-8173         | License | 7/19/1996     | 0.27                 | DOMESTIC               |             |              |
| HICKS/HELM LLC   | 25-14233        |         | 1/30/2009     | 0.15                 | DOMESTIC               |             |              |
| HIGH STONE GRAVEL LLC  | 25-14325        |         | 11/29/2010    | 1                    | INDUSTRIAL, COMMERCIAL |             |              |
| HINCKLEY, LA PREAL   | 25-14005        | License | 10/12/2003    | 0.06                 | IRRIGATION             | 3           |              |
| HK CONTRACTORS INC   | 25-14462        |         | 3/2/2018      | 1.12                 | INDUSTRIAL             |             |              |
| HOFFMAN, RICHARD R; MUELLER, STEVE A;                                    |                 |         |               |                      |                        |             |              |
| PETTINGILL, CASEY; PETTINGILL, HOLLIE; SIMMONS, JOHN G                   | 25-7649         | License | 8/12/1996     | 0.15                 | DOMESTIC               |             |              |
| HOPE, DENNIS K   | 22-7784         | License | 5/24/1995     | 0.11                 | DOMESTIC               |             |              |
| INTEGROW MALT LLC  | 25-13978        |         | 5/13/2002     | 2.23                 | INDUSTRIAL             |             |              |
| JEFFERSON COUNTY   | 25-14281        | License | 9/9/2010      | 0.65                 | COMMERCIAL             |             |              |
| JOHNS, KEVIN L; JOHNS, TRACY   | 35-8603         | License | 4/18/1994     | 3.2                  | IRRIGATION             | 169         |              |
| JOURNEYS END HOMEOWNERS ASSN   | 35-13612        | License | 11/24/2003    | 0.4                  | DOMESTIC               |             |              |
| JOURNEYS END HOMEOWNERS ASSN   | 35-13611        | License | 1/13/2007     | 0.11                 | COMMERCIAL, DOMESTIC   |             |              |

Attachment A  
List of Ground Water Rights Subject to Curtailment  
Sorted by Owner

| Owner   | Water Right No. | Basis   | Priority Date | Diversion Rate (cfs) | Usage   | Total Acres | Enlarge-ment |
|---|-----------------|---------|---------------|----------------------|---|-------------|--------------|
| KNIFE RIVER CORPORATION MOUNTAIN WEST             | 25-14344        | License | 6/9/2011      | 0.2                  | INDUSTRIAL, COMMERCIAL  |             |              |
| LAVA LAKE LAND & LIVESTOCK LLC                    | 37-22469        | Decreed | 10/31/1986    | 2.37                 | IRRIGATION, MITIGATION  | 586.2       | Y            |
| LAZY EIGHT ESTATES DIVISION 2 HOMEOWNERS ASSN INC | 25-14189        | License | 10/26/2006    | 0.5                  | DOMESTIC  |             |              |
| LISH, DEBRA KAY                                   | 29-7417         | License | 10/13/1999    | 0.22                 | IRRIGATION, DOMESTIC  | 9.2         |              |
| M & B INVESTMENTS LLC                             | 25-14163        | License | 12/9/2004     | 0.3                  | DOMESTIC  |             |              |
| M & B INVESTMENTS LLC                             | 25-14379        | License | 8/13/2012     | 0.39                 | DOMESTIC  |             |              |
| MALAD ESTATES WATER USERS                         | 37-8892         | License | 6/28/2000     | 0.2                  | DOMESTIC  |             |              |
| MILLER, BLAINE E; MILLER, CAROLANNE               | 36-16878        | Decreed | 10/31/1986    | 0.02                 | STOCKWATER, COMMERCIAL  |             | Y            |
| MORNINGVIEW WATER CO INC                          | 25-7593         | License | 10/10/1995    | 0.79                 | IRRIGATION, DOMESTIC  | 23          |              |
| MORNINGVIEW WATER CO INC                          | 25-14199        |         | 9/4/2007      | 0.83                 | DOMESTIC  |             |              |
| MORNINGVIEW WATER CO INC                          | 25-14236        |         | 7/7/2009      | 0.25                 | DOMESTIC  |             |              |
| MOUNTAIN RIVER SPORTSMANS RV PARK & CAMP          | 25-14229        | License | 9/2/2008      | 0.2                  | COMMERCIAL  |             |              |
| NELSEN DAIRY                                      | 36-8745         | License | 11/7/1995     | 0.11                 | STOCKWATER, COMMERCIAL  |             |              |
| NEST EGG INVESTMENTS LLC                          | 25-14419        |         | 10/23/2014    | 0.25                 | IRRIGATION, DOMESTIC  | 1           |              |
| NEW PHASE INVESTMENTS LLC                         | 25-14186        | License | 9/18/2006     | 0.05                 | COMMERCIAL  |             |              |
| NORTH RIM FAIRWAYS OWNERS ASSN INC                | 36-16406        | License | 2/24/2006     | 0.23                 | DOMESTIC  |             |              |
| PACIFICORP  | 25-14431        | License | 2/19/2016     | 0.47                 | WATER QUALITY IMPROVEMENT   |             |              |
| PARKER, CHARLOTTE; PARKER, J BLAIR                | 21-12952        | Decreed | 6/1/1977      | 0.6                  | IRRIGATION  | 127         | Y            |
| PARKINSON FARMS                                   | 34-10393        | Decreed | 5/1/1976      | 0.26                 | IRRIGATION  | 306         | Y            |
| PHELPS, KALEB                                     | 27-12264        |         | 2/18/2014     | 0.08                 | DOMESTIC  |             |              |
| PINSON, JANICE                                    | 25-14182        | License | 3/24/2006     | 0.2                  | COMMERCIAL  |             |              |
| RAMSOWER LLC                                      | 36-17146        | Decreed | 4/1/1984      | 0.01                 | IRRIGATION  | 1108        | Y            |
| RAMSOWER LLC                                      | 36-17141        | Decreed | 4/1/1984      | 0.01                 | IRRIGATION  | 9           | Y            |
| RESERVE HOLDINGS LLC                              | 36-17120        |         | 10/10/2017    | 2.7                  | INDUSTRIAL STORAGE, INDUSTRIAL FROM STORAGE, DIVERSION TO STORAGE |             |              |
| RLC FARMS INC                                     | 21-10930        | Decreed | 4/1/1975      | 0.6                  | IRRIGATION  | 179.3       | Y            |
| RLC FARMS INC                                     | 21-13132        | Decreed | 9/13/1977     | 0.44                 | IRRIGATION  | 157.3       | Y            |

Attachment A  
List of Ground Water Rights Subject to Curtailment  
Sorted by Owner

| Owner  | Water Right No. | Basis   | Priority Date | Diversion Rate (cfs) | Usage                                  | Total Acres | Enlarge-ment |
|--|-----------------|---------|---------------|----------------------|--|-------------|--------------|
| ROWLANDS INC                                       | 29-14000        | Decreed | 12/31/1976    | 0.11                 | INDUSTRIAL                             |             | Y            |
| ROWLANDS INC                                       | 29-14027        |         | 1/31/2012     | 0.08                 | IRRIGATION, COMMERCIAL                 | 1           |              |
| RUFF TIMES FARMS                                   | 35-9050         | License | 5/18/1995     | 0.64                 | IRRIGATION                             | 869         |              |
| SAND SPRINGS LP                                    | 36-17052        |         | 7/15/2015     | 2.43                 | WILDLIFE STORAGE, DIVERSION TO STORAGE |             |              |
| SCHREINER FARMS IDAHO LLC                          | 21-10023        | Decreed | 3/24/1975     | 0.36                 | IRRIGATION                             | 230.3       | Y            |
| SCHWENDIMAN, MELVIN; STAKER, DONALD                | 22-11070        | Decreed | 6/1/1978      | 1.13                 | IRRIGATION                             | 186.7       | Y            |
| SORENSEN, ESMERALDA J; SORENSON, GREGORY J         | 37-20361        | License | 1/9/2001      | 0.06                 | STOCKWATER                             |             |              |
| SOUTH PARK ESTATES WATER & SEWER                   | 27-7581         | License | 10/21/1997    | 0.69                 | DOMESTIC, FIRE PROTECTION              |             |              |
| SPACE ACRES WATER USERS                            | 29-13555        | License | 4/24/2003     | 0.08                 | DOMESTIC                               |             |              |
| SUNROC PARK WATER ASSN INC                         | 25-14170        | License | 6/20/2005     | 0.05                 | DOMESTIC                               |             |              |
| TAYLOR MOUNTAIN WATER AND SEWER DISTRICT           | 25-14440        |         | 6/8/2016      | 0.5                  | DOMESTIC                               |             |              |
| THE CEDAR BUTTE OWNERS ASSN INC                    | 22-7794         | License | 7/5/1997      | 1.1                  | DOMESTIC, FIRE PROTECTION              |             |              |
| UNITED STATES OF AMERICA BUREAU OF LAND MANAGEMENT | 35-14430        |         | 7/13/2015     | 0.12                 | STOCKWATER, INDUSTRIAL, WILDLIFE       |             |              |
| US DEPT OF INTERIOR                                | 35-9059         | License | 1/28/1997     | 0.08                 | STOCKWATER, WILDLIFE                   |             |              |
| VALLEY SCHOOL DISTRICT #262                        | 36-16299        | License | 9/22/2004     | 1.52                 | DOMESTIC, FIRE PROTECTION              |             |              |
| WALKER, YOUNG HARVEY                               | 34-10473        | Decreed | 8/10/1977     | 0.36                 | IRRIGATION                             | 190         | Y            |
| WALTERS READY MIX                                  | 22-14019        | License | 9/19/2011     | 4.99                 | INDUSTRIAL, INDUSTRIAL STORAGE         |             |              |
| WALTERS READY MIX INC                              | 22-13967        | License | 4/15/2009     | 4.15                 | INDUSTRIAL                             |             |              |
| WILD WEST INC                                      | 37-21719        | License | 3/22/2006     | 0.11                 | DOMESTIC                               |             |              |
| WILD WEST PROPERTIES LLC                           | 35-13955        |         | 7/22/2009     | 0.69                 | MUNICIPAL                              |             |              |
| WOODVILLE WATER & SEWER DISTRICT                   | 35-14562        |         | 12/11/2017    | 0.37                 | DOMESTIC                               |             |              |
| YANCEY, CLEM R                                     | 35-14239        | License | 3/14/2012     | 0.12                 | DOMESTIC                               |             |              |
| YANCEY, LYLE                                       | 35-14460        |         | 4/7/2016      | 0.06                 | DOMESTIC                               |             |              |
| YANCEY, LYLE                                       | 35-14461        |         | 4/7/2016      | 0.06                 | DOMESTIC                               |             |              |
| YANCEY, RACHEL; YANCEY, RYAN                       | 35-14409        | License | 12/26/2014    | 0.12                 | DOMESTIC                               |             |              |

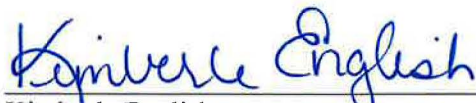
# CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7<sup>th</sup> day of June 2019, a true and correct copy of the foregoing was served by the method indicated below, and addressed to the following:

|   |  |
|---|--|
| John Simpson<br>Travis L. Thompson<br>Nicole L. Swafford<br>BARKER ROSHOLT & SIMPSON, LLP<br>P.O. Box 485<br>Twin Falls, ID 83303<br><a href="mailto:jks@idahowaters.com">jks@idahowaters.com</a> <a href="mailto:nls@idahowaters.com">nls@idahowaters.com</a><br><a href="mailto:tlt@idahowaters.com">tlt@idahowaters.com</a> <a href="mailto:jf@idahowaters.com">jf@idahowaters.com</a> | <input checked="" type="checkbox"/> U.S. Mail, postage prepaid<br><input type="checkbox"/> Hand Delivery<br><input type="checkbox"/> Overnight Mail<br><input checked="" type="checkbox"/> Email |
| W. Kent Fletcher<br>FLETCHER LAW OFFICE<br>P.O. Box 248<br>Burley, ID 83318<br><a href="mailto:wkf@pmt.org">wkf@pmt.org</a>   | <input checked="" type="checkbox"/> U.S. Mail, postage prepaid<br><input type="checkbox"/> Hand Delivery<br><input type="checkbox"/> Overnight Mail<br><input checked="" type="checkbox"/> Email |
| Randall C. Budge<br>Thomas J. Budge<br>RACINE OLSON<br>P.O. Box 1391<br>Pocatello, ID 83204-1391<br><a href="mailto:rcb@racinelaw.net">rcb@racinelaw.net</a> ; <a href="mailto:tjb@racinelaw.net">tjb@racinelaw.net</a>   | <input checked="" type="checkbox"/> U.S. Mail, postage prepaid<br><input type="checkbox"/> Hand Delivery<br><input type="checkbox"/> Overnight Mail<br><input checked="" type="checkbox"/> Email |
| Kathleen Marion Carr<br>US Dept. Interior<br>960 Broadway Ste 400<br>Boise, ID 83706<br><a href="mailto:kathleenmarion.carr@sol.doi.gov">kathleenmarion.carr@sol.doi.gov</a>  | <input checked="" type="checkbox"/> U.S. Mail, postage prepaid<br><input type="checkbox"/> Hand Delivery<br><input type="checkbox"/> Overnight Mail<br><input checked="" type="checkbox"/> Email |
| David W. Gehlert<br>Natural Resources Section<br>U.S. Department of Justice<br>999 18 <sup>th</sup> St, South Terrace, Ste 370<br>Denver, CO 80202<br><a href="mailto:david.gehlert@usdoj.gov">david.gehlert@usdoj.gov</a>  | <input checked="" type="checkbox"/> U.S. Mail, postage prepaid<br><input type="checkbox"/> Hand Delivery<br><input type="checkbox"/> Overnight Mail<br><input checked="" type="checkbox"/> Email |
| Randall D. Fife<br>City Attorney, City of Idaho Falls<br>P.O. Box 50220<br>Idaho Falls, ID 83405<br><a href="mailto:rfife@idahofallsidaho.com">rfife@idahofallsidaho.com</a>  | <input checked="" type="checkbox"/> U.S. Mail, postage prepaid<br><input type="checkbox"/> Hand Delivery<br><input type="checkbox"/> Overnight Mail<br><input checked="" type="checkbox"/> Email |
| Robert L. Harris<br>HOLDEN, KIDWELL, HAHN & CRAPO, PLLC<br>P.O. Box 50130<br>Idaho Falls, ID 83405<br><a href="mailto:rharris@holdenlegal.com">rharris@holdenlegal.com</a>  | <input checked="" type="checkbox"/> U.S. Mail, postage prepaid<br><input type="checkbox"/> Hand Delivery<br><input type="checkbox"/> Overnight Mail<br><input checked="" type="checkbox"/> Email |
| Matt Howard<br>US Bureau of Reclamation<br>1150 N Curtis Road<br>Boise, ID 83706-1234<br><a href="mailto:mhoward@pn.usbr.gov">mhoward@pn.usbr.gov</a>   | <input type="checkbox"/> U.S. Mail, postage prepaid<br><input type="checkbox"/> Hand Delivery<br><input type="checkbox"/> Overnight Mail<br><input checked="" type="checkbox"/> Email            |
| Sarah Klahn<br>Somach Simmons & Dunn<br>2701 Lawrence Ste 113<br>Denver, CO 80205<br><a href="mailto:sklahn@somachlaw.com">sklahn@somachlaw.com</a> ; <a href="mailto:dthompson@somachlaw.com">dthompson@somachlaw.com</a>  | <input checked="" type="checkbox"/> U.S. Mail, postage prepaid<br><input type="checkbox"/> Hand Delivery<br><input type="checkbox"/> Overnight Mail<br><input checked="" type="checkbox"/> Email |



|   |  |
|---|--|
| Kirk Bybee<br>City of Pocatello<br>P.O. Box 4169<br>Pocatello, ID 83205<br><a href="mailto:kibybee@pocatello.us">kibybee@pocatello.us</a>   | <input checked="" type="checkbox"/> U.S. Mail, postage prepaid<br><input type="checkbox"/> Hand Delivery<br><input type="checkbox"/> Overnight Mail<br><input checked="" type="checkbox"/> Email |
| Candice McHugh, ISB No. 5908<br>Chris M. Bromley, ISB No. 6530<br>MCHUGH BROMLEY, PLLC<br>380 S. 4th St., Ste. 103<br>Boise, ID 83702<br><a href="mailto:cmchugh@mchughbromley.com">cmchugh@mchughbromley.com</a><br><a href="mailto:cbromley@mchughbromley.com">cbromley@mchughbromley.com</a> | <input checked="" type="checkbox"/> U.S. Mail, postage prepaid<br><input type="checkbox"/> Hand Delivery<br><input type="checkbox"/> Overnight Mail<br><input checked="" type="checkbox"/> Email |
| William A. Parsons<br>Parsons, Smith & Stone, LLP<br>P.O. Box 910<br>Burley, ID 83318<br><a href="mailto:wparsons@pmt.org">wparsons@pmt.org</a>   | <input checked="" type="checkbox"/> U.S. Mail, postage prepaid<br><input type="checkbox"/> Hand Delivery<br><input type="checkbox"/> Overnight Mail<br><input checked="" type="checkbox"/> Email |
| Tony Olenichak<br>IDWR—Eastern Region<br>900 N. Skyline Drive<br>Idaho Falls, ID 83402-6105<br><a href="mailto:Tony.Olenichak@idwr.idaho.gov">Tony.Olenichak@idwr.idaho.gov</a>   | <input type="checkbox"/> U.S. Mail, postage prepaid<br><input type="checkbox"/> Hand Delivery<br><input type="checkbox"/> Overnight Mail<br><input checked="" type="checkbox"/> Email            |
| Corey Skinner<br>Nathan Erickson<br>IDWR—Southern Region<br>1341 Fillmore St., Ste. 200<br>Twin Falls, ID 83301-3033<br><a href="mailto:Corey.Skinner@idwr.idaho.gov">Corey.Skinner@idwr.idaho.gov</a><br><a href="mailto:Nathan.Erickson@idwr.idaho.gov">Nathan.Erickson@idwr.idaho.gov</a>    | <input type="checkbox"/> U.S. Mail, postage prepaid<br><input type="checkbox"/> Hand Delivery<br><input type="checkbox"/> Overnight Mail<br><input checked="" type="checkbox"/> Email            |
| Robert E. Williams<br>WILLIAMS, MESERVY, & LOTHSPREICH, LLP<br>P.O. Box 168<br>Jerome, ID 83338<br><a href="mailto:rewilliams@wmlattys.com">rewilliams@wmlattys.com</a>   | <input checked="" type="checkbox"/> U.S. Mail, postage prepaid<br><input type="checkbox"/> Hand Delivery<br><input type="checkbox"/> Overnight Mail<br><input checked="" type="checkbox"/> Email |

  
Kimberle English

I FURTHER CERTIFY that on this 7<sup>th</sup> day of June 2019, a true and correct copy of the foregoing was served on the following by U.S. mail only:

A & B IRRIGATION DISTRICT  
PO BOX 675  
RUPERT ID 83350-0675

DANNY L AND MARY ELLEN  
ANDERSON  
9787 N 27TH E  
IDAHO FALLS ID 83401

DONALD JOHN AARDEMA  
2306 E 3600 S  
WENDELL ID 83355

PAUL L ARRINGTON  
BARKER RSHOLT & SIMPSON LLP  
163 2ND AVE W  
PO BOX 63  
TWIN FALLS ID 83303-0063

MICHAEL D ALLEN  
2643 E 97TH N  
IDAHO FALLS ID 83401

ANDREW AND MARY ATKINSON  
RT 2 NORTH BOX 33  
POCATELLO ID 83202

GERALD BARTAUSKY  
310 EAST 200 NORTH  
BLACKFOOT ID 83221

JEREMY KEITH AND MICHELLE BISHOP  
12894 N 26TH W  
IDAHO FALLS ID 83402-5263

BRP INC  
PO BOX 1768  
IDAHO FALLS ID 83403-1768

GEORGE W AND LURANA J BURRELL  
1852 TRUCKERVILLE RD  
POCATELLO ID 83204

CORP OF THE PRESIDING BISHOP  
CHURCH OF JESUS CHRIST OF LATTER  
DAY SAINTS  
REAL ESTATE SERVICES DIVISION  
50 E NORTH TEMPLE ST  
SALT LAKE CITY UT 84150-6320

STAN DREW  
PO BOX 5566  
POCATELLO ID 83202

CASTULO FARFAN-CEJA  
2459 HWY 25  
HAZELTON ID 83335

HUGO AND MARY GOEDHART  
610 N 200 E  
JEROME ID 83338

ROBERT L HARRIS  
PO BOX 50130  
IDAHO FALLS ID 83405-0130

TERRY HENDRICKS  
340 NORTH 12TH WEST  
REXBURG ID 83440

HIGH STONE GRAVEL LLC  
497 N CAPITAL AVE  
IDAHO FALLS ID 83402

RICHARD P AND RICHARD R  
HOFFMAN  
2566 E 98TH N  
IDAHO FALLS ID 83401

JEFFERSON COUNTY  
210 COURTHOUSE WAY STE 130  
RIGBY ID 83442

BENCH MARK POTATO CO  
C/O LEE SUTTON  
4799 S HWY 191  
REXBURG ID 83440

BKC FARMS INC AND RLC FARMS INC  
1908 E 500 N  
ST ANTHONY ID 83445

DALE BRUMFIELD  
125 N 800 W  
BLACKFOOT ID 83221

CANYON CREEK LATERAL DITCH ASSN  
12241 E 3749 N  
NEWDALE ID 83436

COUNTRY CLUB WATER  
1075 E 1465 N  
SHELLEY ID 83274

LINDA J EAMES  
4105 E 605 N  
RIGBY ID 83442

BILL FUNK  
3252 N PLEASANT VALLEY RD  
AMERICAN FALLS ID 83211

GOLDEN VALLEY DEVELOPMENTS  
C/O BOYD WITHERS  
266 NEZ PERCE  
REXBURG ID 83440  
HAWLEY TROXELL ENNIS & HAWLEY  
PO BOX 1617  
BOISE ID 83701-1617

HERITAGE DEVELOPMENT  
C/O MIKE BIRD  
609 W MAPLE  
POCATELLO ID 83201

LA PREAL HINCKLEY  
685 N 3837 E  
RIGBY ID 83442

DENNIS K HOPE  
5148 S 2000 W  
REXBURG ID 83440

KEVIN L JOHNS AND TRACY JOHNS  
2674 W 1200 S  
ABERDEEN ID 83210-1550

BRADLEY C BENEFIEL  
2665 E 97TH N  
IDAHO FALLS ID 83401

BLAINE COUNTY SCHOOL DISTRICT  
#61  
118 W BULLION ST  
HAILEY ID 83333

BURNS CONCRETE INC  
PO BOX 1864  
IDAHO FALLS ID 83403

FRANCIS J CASSIDY  
2621 E 97TH N  
IDAHO FALLS ID 83401

JOSEPH E DAVIDSON  
501 E MAIN  
JEROME ID 83338

MARK C EVANS  
9798 N 27TH E  
IDAHO FALLS ID 83401

NORMAN GILLEN  
449 S MAIN  
TOOELE UT 84074

CHERYL HAMILTON KOOMPIN AND  
RICHARD KOOMPIN  
2229 W 1000 S  
STERLING ID 83210

W MAHLON HEILESON  
9741 N 27TH E  
IDAHO FALLS ID 83401

HICKS/HELM LLC  
41 E 7720 S  
MIDVALE UT 84047

HK CONTRACTORS INC  
PO BOX 51450  
IDAHO FALLS ID 83405-1450

INTEGROW MALT LLC  
5005 S 15TH WEST  
IDAHO FALLS ID 83402

JOURNEYS END HOMEOWNERS ASS  
PO BOX 184  
SHELLEY ID 83274

ARTEMIO AND GUADALUPE JUAREZ  
472 E KAMALA ST  
OXNARD CA 93033-3846

LAZY EIGHT ESTATES DIVISION 2  
HOMEOWNERS ASSN INC  
8893 SADDLE HORN DR  
IDAHO FALLS ID 83404

M & B INVESTMENTS LLC  
6549 SOUTH 5TH WEST  
IDAHO FALLS ID 83404

DAVID DANIEL AND JENNY CLUFF  
MEYER  
2599 E 97TH N  
IDAHO FALLS ID 83401

MOUNTAIN RIVER SPORTSMANS RV  
PARK & CAMP  
64 N 5050 E  
RIRIE ID 83443

NELSEN DAIRY  
600 N 120 E  
JEROME ID 83338

NORTH RIM FAIRWAYS OWNERS  
ASSN INC  
PO BOX 242  
JEROME ID 83338

PARKINSON FARMS  
2253 N 3100 W  
ARCO ID 83213

BETH AND TERRY L PRICE  
111 W 400 S  
JEROME ID 83338-5947

JERRY R RIGBY  
RIGBY ANDRUS & MOELLER CHTD  
25 N 2ND E  
PO BOX 250  
REXBURG ID 83440

RUFF TIMES FARMS  
C/O DOUG RUFF  
3005 W 2100 S  
ABERDEEN ID 83210

KNIFE RIVER CORPORATION  
MOUNTAIN WEST  
5450 W GOWEN RD  
BOISE ID 83709-5625

ROGER D LING  
LING & ROBINSON  
PO BOX 396  
RUPERT ID 83350-0396

DAVID DANIEL AND JENNY CLUFF  
MEYER  
2599 E 97TH N  
IDAHO FALLS ID 83401

BLAINE E AND CAROLANNE MILLER  
366 S 1700 E  
JEROME ID 83338

STEVE A MUELLER  
2517 E 98TH N  
IDAHO FALLS ID 83401

NEST EGG INVESTMENTS LLC  
C/O AARON MC CRACKEN  
1665 DELMAR DR  
IDAHO FALLS ID 83404

PACIFICORP  
1407 W NORTH TEMPLE STE 110  
SALT LAKE CITY UT 84116

CASEY AND HOLLIE PETTINGILL  
2544 E 98TH ST  
IDAHO FALLS ID 83401

RBA LLC  
PO BOX 370  
KIMBERLY ID 83341-0370

FABIAN RODRIQUEZ  
1850 TRUCKERVILLE RD  
POCATELLO ID 83204

DALENE SASSER  
2221 W 1000 S  
STERLING ID 83210

LAVA LAKE LAND & LIVESTOCK LLC  
PO BOX 2249  
HAILEY ID 83333

DEBRA KAY LISH  
1347 SYPHON RD  
POCATELLO ID 83202

MALAD ESTATES WATER USERS  
PO BOX 68  
HAGERMAN ID 83332

MOFFATT THOMAS BARRETT ROCK  
FIELDS CHTD  
PO BOX 51505  
IDAHO FALLS ID 83405-1505

KALEB PHELPS  
1382 N 750 E  
SHELLEY ID 83274

NEW PHASE INVESTMENTS LLC  
PO BOX 756  
RIGBY ID 83442

CHARLOTTE PARKER  
1970 E 600 N  
SAINT ANTHONY ID 83445-5307

JANICE PINSON  
PO BOX 1854  
EUREKA MT 59917

RESERVE HOLDINGS LLC  
PO BOX 536  
RUPERT ID 83350

ROWLANDS INC  
1141 ROWLAND RD  
POCATELLO ID 83204-7416

KENT H SAWYER  
9730 N 27TH E  
IDAHO FALLS ID 83401

SCHREINER FARMS IDAHO LLC  
C/O GARY KELLY  
105 E 8<sup>TH</sup>  
OLYMPIA WA 98501

ESMERALDA J AND GREGORY J  
SORENSEN  
423 N 100 E  
JEROME ID 83338

DONALD STAKER  
PO BOX 111  
NEWDALE ID 83436

BRIAN W TAYLOR  
9764 N 27TH E  
IDAHO FALLS ID 83401

UNITED STATES OF AMERICA  
USDI BUREAU OF LAND  
MANAGEMENT  
1387 S VINNELL WAY  
BOISE ID 83709-1657

YOUNG HARVEY WALKER  
2338 N 2930 W  
ARCO ID 83213

WILD WEST PROPERTIES LLC  
4554 W 17TH S  
IDAHO FALLS ID 83402

LYLE YANCEY  
143 N 360 W  
BLACKFOOT ID 83221

MELVIN SCHWENDIMAN  
PO BOX 74  
NEWDALE ID 83436

SOUTH PARK ESTATES WATER &  
SEWER  
C/O BOB MORRISON  
1460 N 1180 E  
SHELLEY ID 83274

SUNROC PARK WATER ASSN INC  
2695 W OMNI DR  
IDAHO FALLS ID 83402

TETON HOLDINGS LLC  
C/O LAURENCE GUNDERSON  
1015 LAKEWOOD DR  
TWIN FALLS ID 83301

US DEPT OF INTERIOR  
BUREAU OF LAND MANAGEMENT  
1405 HOLLIPARK DR  
IDAHO FALLS ID 83401

WALTERS READY MIX INC  
PO BOX 390  
REXBURG ID 83440-0390

WOODVILLE WATER & SEWER  
DISTRICT  
C/O MIKE ANDERSON  
705 E 1550 N  
SHELLEY ID 83274

CLEM R YANCEY  
375 W 150 N  
BLACKFOOT ID 83221

JOHN G SIMMONS  
2541 E 98TH N  
IDAHO FALLS ID 83401

SPACE ACRES WATER USERS  
C/O DENNIS HOWELL  
12566 N NEPTUNE ST  
POCATELLO ID 83202


TOMMY C TANNER  
2549 E 97TH N  
IDAHO FALLS ID 83401

THE CEDAR BUTTE OWNERS ASSN  
PO BOX 856  
REXBURG ID 83440

VALLEY SCHOOL DISTRICT #262  
882 VALLEY RD S  
HAZELTON ID 83335

WILD WEST INC  
525 RIVERSIDE AVE  
LYNDHURST NJ 07071

RACHEL AND RYAN YANCEY  
131 N 365 W  
BLACKFOOT ID 83221-5682

  
Kimberle English



## **EXPLANATORY INFORMATION TO ACCOMPANY A FINAL ORDER**

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

(Required by Rule of Procedure 740.02)

The accompanying order is a "Final Order" issued by the department pursuant to section 67-5246, Idaho Code.

### **PETITION FOR RECONSIDERATION**

Any party may file a petition for reconsideration of a 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 department 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. See section 67-5246(4), Idaho Code.

### **REQUEST FOR HEARING**

Unless the right to a hearing before the director or the water resource board is otherwise provided by statute, any person who is aggrieved by the 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 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. See section 42-1701A(3), Idaho Code. **Note: The request must be received by the Department within this fifteen (15) day period.**

### **APPEAL OF FINAL ORDER TO DISTRICT COURT**

Pursuant to sections 67-5270 and 67-5272, Idaho Code, any party aggrieved by a final order or orders previously issued in a matter before the department may appeal the final order and all previously issued orders in the matter to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of: a) the service date of the final order, b) the service date of an order denying petition for reconsideration, or c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. See section 67-5273, Idaho Code. The filing of an appeal to district court does not in itself stay the effectiveness or enforcement of the order under appeal.