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RECEIVED

JUN 28 2019

**DEPARTMENT OF
WATER RESOURCES**

**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

**A&B IRRIGATION DISTRICT'S
NOTICE OF WITHDRAWAL OF
REQUEST FOR HEARING**

COMES NOW, A&B Irrigation District (hereafter referred to as "A&B" or "District"),
by and through counsel of record, and hereby withdraws its request for hearing in the above-
captioned matter regarding the issues identified in its April 23, 2019 Request for Hearing. *See*
Order Granting Request for Hearing (dated May 14, 2019). This notice is filed pursuant to the
Director's *Final Order Curtailing Junior Ground Water Rights* issued on June 7, 2019.

In that order the Director clarified that 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.” *See Order* at 4. A&B confirms that it will not be delivering groundwater pursuant to its enlargement ground water rights as the lands will receive surface water for the 2019 irrigation season. A&B further recently confirmed the same with the Water District 130 Watermaster. *See Dan Temple June 18, 2019 Letter to Nathan Erickson*. A&B reserves all rights with respect to future curtailment orders issued by IDWR.

DATED this 27th day of June, 2019.

BARKER ROSHOLT & SIMPSON LLP



Travis L. Thompson

Attorneys for A&B Irrigation District

CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of July, 2016, I served a true and correct copy of the foregoing *A&B Irrigation District's Notice of Withdrawal of Request for Hearing* on the following by the method indicated:

<p>Director Gary Spackman c/o Kimberle English State of Idaho Dept of Water Resources 322 E Front St Boise, ID 83720-0098 *** service by U.S Mail and electronic mail</p> <p>gary.spackman@idwr.idaho.gov kimberle.english@idwr.idaho.gov</p>	<p>Matt Howard U.S. Bureau of Reclamation 1150 N. Curtis Rd. Boise, ID 83706-1234</p> <p>*** service by electronic mail only mhoward@pn.usbr.gov emcgarry@pn.usbr.gov</p>	<p>IDWR – Eastern Region 900 N. Skyline Dr., Suite A Idaho Falls, ID 83402-1718 *** service by electronic mail only tony.olenichak@idwr.idaho.gov</p>
<p>Randy Budge T.J. Budge Racine Olson P.O. Box 1391 Pocatello, ID 83204-1391 *** service by electronic mail only rcb@racinelaw.net tjb@racinelaw.net</p>	<p>Sarah A. Klahn Somach Simmons & Dunn 2701 Lawrence, Ste 113 Denver, CO 80205 *** service by electronic mail only sklahn@somachlaw.com</p>	<p>David Gehlert ENRD – DOJ 999 18th St. South Terrace, Suite 370 Denver, CO 80202 *** service by electronic mail only david.gehlert@usdoj.gov</p>
<p>Kirk Bybee City of Pocatello P.O. Box 4169 Pocatello, ID 83201 *** service by electronic mail only kibybee@pocatello.us</p>	<p>William A. Parsons Parsons, Smith & Stone LLP P.O. Box 910 Burley, ID 83318 *** service by electronic mail only wparsons@pmt.org</p>	<p>IDWR – Southern Region 1341 Fillmore St., Suite 200 Twin Falls, ID 83301-3380 *** service by electronic mail only corey.skinner@idwr.idaho.gov Nathan.erickson@idwr.idaho.gov</p>
<p>Chris Bromley Candice McHugh McHugh Bromley PLLC 380 S. 4th St., Ste 103 Boise, ID 83702 *** service by electronic mail only cmchugh@mchughbromley.com cbromley@mchughbromley.com</p>	<p>Kathleen Carr US Dept Interior, Office of Solicitor Pacific Northwest Region, Boise 960 Broadway Ste 400 Boise, ID 83706 *** service by electronic mail only facsimile – 208-334-1918 kathleenmarion.carr@sol.doi.gov</p>	<p>Robert E. Williams Williams Meservy P.O. Box 168 Jerome, ID 83338 *** service by electronic mail only rewilliams@wmlattys.com</p>



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