

Jul 24, 2025

DEPARTMENT OF
WATER RESOURCES

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Attorneys for A&B Irrigation District

**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
 REQUEST FOR HEARING**

COMES NOW, A&B IRRIGATION DISTRICT ("A&B or "District"), by and through counsel of record, and hereby requests a hearing in the above-referenced matter pursuant to I.C. § 42-1701A(3) and submits the following list of initial issues regarding the Director's *Order Revising April 2025 Forecast Supply and Continuing May 16, 2025 Curtailment Order* issued on July 10, 2025. A&B reserves the right to supplement this request as necessary.

- Whether the order's identified proportionate share (5,039 acre-feet) of the predicted injury (75,300 acre-feet) to TFCC is calculated correctly based upon A&B's actual diversion and use of water rights that are subject to the identified curtailment date (junior to October 11, 1900).

2. Whether the steady-state use of the ESPAM 2.2 in identifying A&B's proportionate share of the estimated in-season demand shortfall is consistent with the transient use of the model in identifying ground water rights subject to curtailment as outlined in the *Sixth Methodology Order*.
3. Whether the Director's failure to implement the May 16, 2025 curtailment order in accordance with Idaho law has injured A&B by subjecting its senior water right 36-2080 to curtailment and/or mitigation requirements during the 2025 irrigation season.
4. For other and further reasons as may be discovered prior to hearing. A&B reserves the right to identify additional issues as necessary in this proceeding.

DATED this 24th day of July, 2025.

PARSONS BEHLE & LATIMER



Travis L. Thompson
Abby R. Bitzenburg

Attorneys for A&B Irrigation District

CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of July, 2025, I served a true and correct copy of the foregoing *A&B Irrigation District's Request for Hearing* on the following by the method indicated:

Director Mat Weaver Garrick Baxter Sarah Tschohl State of Idaho Dept. of Water Resources 322 E Front St. Boise, ID 83720-0098 *** service by electronic mail mat.weaver@idwr.idaho.gov garrick.baxter@idwr.idaho.gov sarah.tschohl@idwr.idaho.gov file@idwr.idaho.gov	Gail McGary U.S. Bureau of Reclamation 1150 N. Curtis Rd. Boise, ID 83706-1234 *** service by electronic mail only emcgarry@usbr.gov	John K. Simpson IdaH20, PLLC 4354 N. Hackberry Way Boise, ID 83702-1667 *** service by electronic mail only jks@idahowaters.com
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/s/ Jessica Nielsen
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