

**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

IN THE MATTER OF THE MITIGATION
PLAN FILED BY A&B IRRIGATION
DISTRICT FOR THE DISTRIBUTION OF
WATER TO WATER RIGHTS HELD BY
THE SURFACE WATER COALITION

Docket No. CM-DC-2010-001
Docket No. CM-MP-2015-003

**ORDER GRANTING REQUEST FOR
HEARING RE: STANDARD OF
MITIGATION; NOTICE OF PRE-
HEARING**

BACKGROUND

On May 11, 2016, the Director (“Director”) of the Idaho Department of Water Resources (“Department”) issued an *Order Determining Deficiency in A&B Irrigation District’s Notice of Mitigation* (“Deficiency Order”).

On May 13, 2016, A&B Irrigation District (“A&B”) submitted to the Department *A&B Irrigation District’s Notice of Communication to Water District 01 Watermaster/Request for Hearing* (“Request for Hearing”). A&B asserts the Deficiency Order “created a new standard regarding mitigation that has not been previously applied to other affected junior ground water right holders” and requests a hearing pursuant to Idaho Code § 42-1701A(3). *Request for Hearing* at 2. The Director will grant A&B’s request and schedule a pre-hearing conference.

ORDER

Based upon and consistent with the foregoing, A&B’s request for hearing on the issue of whether the Deficiency Order created a new standard of mitigation is GRANTED.

NOTICE OF PRE-HEARING

The Director hereby gives notice that a pre-hearing conference will be held on **June 30, 2016, at 2:00 p.m. (MDT)**, at the offices of the Department located at 322 E. Front Street, 6th Floor, Boise, Idaho.

All parties to the matter must be represented at the pre-hearing conference in person or by telephone and be prepared to discuss availability for the purpose of 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 the 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.

The pre-hearing conference will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the conference, please contact Deborah Gibson at (208) 287-4803, no later than five (5) days prior to the conference.

DATED this 24th day of May 2016.



GARY SPACKMAN
Director


CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of May 2016, the above and foregoing was served on the following by the method(s) indicated below:

John K. Simpson Travis L. Thompson Paul L. Arrington BARKER ROSHOLT & SIMPSON, LLP 195 RIVER VISTA PL STE 204 Twin Falls, ID 83301-3029 jks@idahowaters.com tlr@idahowaters.com pla@idahowaters.com	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email
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Deborah Gibson
 Admin. Assistant for the Director