

**NOTICE OF PETITION FOR DECLARATORY RULING
REGARDING NEED FOR A WATER RIGHT TO
DIVERT WATER UNDER REUSE PERMIT**

Notice is hereby given that, on February 24, 2020, Riverside Irrigation District ("Riverside"), through its counsel Albert P. Barker of the firm Barker, Rosholt and Simpson LLP, PO Box 2139, Boise, ID, 83701-2139, submitted a Petition for Declaratory Ruling Regarding Need for a Water Right to Divert Water Under Reuse Permit No. M-255-01 ("Petition") to the Idaho Department of Water Resources ("Department").

The Petition may be viewed at any of the Department's offices or online at:

<https://idwr.idaho.gov/legal-actions/administrative-actions/M-255-01-Nampa.html>

Riverside petitions the Department for a declaratory ruling as to the applicability of Idaho Code § 42-201(2) to Reuse Permit No. M-255-01, issued by Idaho Department of Environmental Quality to the City of Nampa ("City"). The Petition alleges that under the permit, the City intends to deliver reuse water to Pioneer Irrigation District ("Pioneer") and that Pioneer intends to deliver the reuse water to its water users. Riverside seeks a declaratory ruling that:

- 1) Pioneer cannot divert or accept reuse water from the City or apply the City's reuse water to land in the Pioneer boundaries under the reuse permit without first obtaining a water right.
- 2) Any attempt by Pioneer or the City to divert water under the permit to Pioneer without first applying for a water right is in contravention to Idaho law.

The Director has issued an order setting April 23, 2020, as the deadline to intervene in this matter. Any petition to intervene must be filed by this day to be considered timely. Petitions to intervene should comply with the Department's Rules of Procedure, IDAPA 37.01.01. A copy of the Department's Rules of Procedure may be obtained from any of the Department's offices or online at: <https://adminrules.idaho.gov/rules/current/37/370101.pdf>. A \$25.00 filing fee per person seeking to intervene must be submitted at the time of filing a petition to intervene with the Department. See Idaho Code § 42-221.L.

Gary Spackman, Director

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