

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

IN THE MATTER OF BIG WOOD RIVER  
GROUND WATER MANAGEMENT AREA

IN THE MATTER OF APPLICATIONS  
FOR PERMIT FOR THE DIVERSION AND  
USE OF SURFACE AND GROUND  
WATER WITHIN THE SNAKE RIVER  
BASIN

**AMENDED NOTICE OF HEARING**

On March 31, 2023, the Director of the Idaho Department of Water Resources (“Department”) issued the *Order Consolidating Proceedings for Hearing, Authorizing Discovery, and Scheduling; Notice of Hearing* (“Consolidation Order”) in the above-captioned, consolidated matter. The first proceeding pertains to the May 17, 2022 *Order Establishing Moratorium for the Big Wood River Ground Water Management Area* (“Big Wood Moratorium”). The second proceeding pertains to the October 21, 2022 *Amended Snake River Basin Moratorium Order* (“Snake Moratorium”).

On November 4, 2022, the Board of Commissioners of Elmore County (“Elmore County”) filed its Petition for Hearing (“Petition”) in the Snake Moratorium matter. On May 22, 2023, the Department and Elmore County submitted an *Amended Stipulation to Withdraw Petition for Hearing* (“Stipulation to Withdraw”) in this consolidated matter. The Stipulation to Withdraw includes an agreement between the Department and Elmore County that the Department will process Application for Permit 2-10535, filed March 3, 2017, and Elmore County will withdraw its Petition. *Stipulation to Withdraw* at 1. On June 16, 2023, in accordance with IDAPA 37.01.01.303 and the Stipulation to Withdraw, Elmore County filed with the Department its *Notice of Withdrawal of Petition*. Pursuant to IDAPA 37.01.01.303, the *Notice of Withdrawal of Petition* “is effective seven (7) days after filing”; seven days after Elmore County’s filing have since passed.

The Consolidation Order contains a notice of hearing which scheduled the hearing in this consolidated matter for October 16–19, 2023. *Consolidation Order* at 4. The notice of hearing states in pertinent part, “[t]he first day of the hearing, October 16, 2023, will be dedicated to hearing the issue raised by the Board of Commissioners of Elmore County that is unique to the Snake Moratorium matter.” *Id.* The Director has determined that an amended notice of hearing is needed to remove Elmore County’s withdrawn hearing issue from consideration.

**AMENDED NOTICE OF HEARING**

NOTICE IS HEREBY GIVEN that the Director of the Department, Gary Spackman, will hold a consolidated hearing on the Big Wood Moratorium and Snake Moratorium matters. The hearing will be held on **October 16–19, 2023, beginning each day at 9:00 AM (MST), in Conference Rooms 602C–D at the Department’s State Office**, located at 322 E. Front Street, 6<sup>th</sup> Floor, Boise, Idaho. The first day of the hearing, October 16, 2023, will begin with


addressing the common issue involving the consumptive nature of municipal water use or domestic water use from a community system. Bellevue's issue will be heard upon the conclusion of hearing the aforementioned common issue.

All parties who wish to participate in the hearing must be present in person. Remote participation will be allowed for those who wish to only observe the hearing. To request remote participation information, contact Sarah Tschohl at the phone number or email listed below.

The hearing will be held in accordance with the provisions of Chapter 2 and 17, Title 42, and Chapter 52, Title 67, Idaho Code, and the Department's Rules of Procedure, IDAPA 37.01.01. A copy of the Rules of Procedure may be obtained from the Department upon request or at <https://adminrules.idaho.gov/rules/current/37/370101.pdf>.

The hearing will be conducted in a facility that meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations to attend, participate in, or understand the hearing, please advise the Department no later than five (5) days before the hearing. Inquiries for special accommodations should be directed to Sarah Tschohl, Idaho Department of Water Resources, P.O. Box 83720, Boise, Idaho 83720-0098, telephone: (208) 287-4800, email [sarah.tschohl@idwr.idaho.gov](mailto:sarah.tschohl@idwr.idaho.gov).

DATED this 30<sup>th</sup> day of June 2023.

  
\_\_\_\_\_  
Gary Spackman  
Director

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 30th day of June 2023, the above and foregoing was served by the method indicated below, and addressed to the following:

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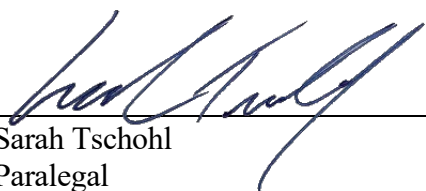
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