

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

IN THE MATTER OF ACCOUNTING)	
FOR DISTRIBUTION OF WATER)	DOCUMENTS OFFICIALLY
TO THE FEDERAL ON-STREAM)	NOTICED
RESERVOIRS IN WATER)	
DISTRICT 63)	
)	

A pre-hearing conference was held on August 14, 2015, in which a question arose regarding the documents the Director plans to take official notice of as part of this proceeding. At the pre-hearing conference, counsel for the Boise Project Board of Control asked that the Director identify with more specificity the documents the Director plans to take official notice of as part of this proceeding. The Director previously provided the parties a list of documents that “may be made part of the record in this matter” in a document titled *IDWR Witness, Exhibit, and Document List* dated July 31, 2015. The Director agreed to review the list and consider the request.

After additional review and consideration, the Director concludes that certain documents can be identified with more specificity. The Director will take official notice of the following documents posted on IDWR’s Basin 63 contested case web page:

- Boise River Historic Water Rights Accounting Data (zip file with data from 1986-2014)
- Procedures: Storage Report and Water Rights Accounting (undated)
- IDWR File Notes: Boise River Flow & Storage Accounting (undated)
- IDWR File Notes: Water Right Accounting Systems Diagrams (Boise, Payette, Upper Snake) (undated)
- Letter from Boise Project Board of Control to IDWR - September 11, 2013
- Letter from US Bureau of Reclamation to IDWR - July 22, 2013
- Letter from IDWR to Boise Project Board of Control - May 1, 2013
- Letter from Boise Project Board of Control to IDWR - April 15, 2013
- 2012-2013 Boise Water Right Accounting (binder)
- 2010-2011 Boise Water Right Accounting (binder)
- 2009 Boise Water Right Accounting (binder)
- 2008 Boise Water Right Accounting (binder)
- Memorandum re. Processing of Applications to Appropriate Water in the Lower Boise River Basin - February 22, 2008
- Affidavit of Robert J. Sutter - February 12, 2008
- 2007 Boise Water Right Accounting (binder)
- 2006 Boise Water Right Accounting (binder)

- 2005 Boise River Water Accounting (binder)
- 2003-2004 Boise River Accounting (binder)
- 2002 Boise River Water Accounting (binder)
- 1997-2001 Boise River Water Accounting (binder)
- Application Processing Memo No. 59 - June 20, 1996
- Letter from US Bureau of Reclamation to Settlers Irrigation District - July 19, 1995
- Letter from IDWR to Boise Project Board of Control - February 2, 1993
- BOR Memorandum Re: Letter from Ken Dunn to Lee Sisco - April 13, 1987
- Water Delivery Accounting Boise River WD-63 - February 4, 1987
- 1986-1996 Boise River Water Accounting (binder)
- Study/Project Request: Boise River Accounting - August 7, 1986
- 1986 WD63 Watermaster Report, page 1 - 1986
- Memorandum of Understanding for Confirmation, Ratification, and Adoption of Water Control Manual: Boise River Reservoirs, Boise River, Idaho - September 25, 1985
- Letter from IDWR to the US Bureau of Reclamation - May 19, 1982
- IDWR File Notes: Boise River Accounting Meeting - November 18, 1981
- Letter from IDWR to the US Army Corps of Engineers - April 2, 1981
- IDWR File Notes: Boise River Reservoir Fill - March 3, 1981
- IDWR File Memo: Boise River Reservoir Fill and Stored Water Use - January 23, 1981
- Memorandum re. Boise River Appropriations - January 22, 1980
- IDWR File Memo: Boise River Reservoir Fill and Stored Water Use, and US Bureau of Reclamation Memo: New Method Adopted for Allocation of Boise System Storage - January 23, 1981 and May 3, 1977
- IDWR File Notes: Boise River Reservoir Fill - approximately 1981
- Boise River Accounting Programs (binder)
- Boise River Accounting - General (binder)
- Memorandum Re. New Method Adopted for Allocation of Boise System Storage - May 3, 1977
- Review of Boise River Flood Control Management - November 1974
- Summary of Water Regulation Power Production Principles and Procedures - March 13, 1964
- Memorandum of Agreement between the Department of the Army and the Department of the Interior for Flood Control Operation of Boise River Reservoirs, Idaho - November 20, 1953
- Letter from US Office of the Chief of Engineers to the Secretary of the Interior - May 13, 1946
- Letter from US Office of the Chief of Engineers to the Chairman of the Committee on Commerce - May 13, 1946
- Idaho Reclamation News - June 1, 1945
- Letter from the Secretary of Interior to The President - June 25, 1940
- Letter from US Bureau of Reclamation to Secretary of the Interior - June 24, 1940
- Summary Judgment Motion, Subcase 63-3618 - June 19, 2008
- Deposition of Robert J. Sutter (Volume II) - April 16, 2008
- Deposition of Robert J. Sutter (Volume I) - March 28, 2008
- Deposition of Jerrold D. Gregg (Volumes I & II) - January 30-31, 2008
- Deposition of Mary Mellema (Volume II) - January 30, 2008
- Deposition of Mary Mellema (Volume I) - January 23, 2008
- Boise River Flood Operations PowerPoint Presentation by Mary Mellema - October 31, 2013
- Operations Description for Bureau of Reclamation Projects in the Snake River Basin above Brownlee Reservoir - April 2004, revised May 2004

- Operations Description for Bureau of Reclamation Projects in the Snake River Basin above Brownlee Reservoir (Appendices) - February 2004
- Description of Bureau of Reclamation System Operation of the Boise and Payette Rivers - November 1996, revised December 1997
- Combined Report on US Bureau of Reclamation System Operations - December 1997
- Water Control Manual for Boise River Reservoirs - April 1985
- Final Sandoval Thesis - July 1992

The Director will also take official notice of the following documents and files identified in the November 4, 2014, *Document Overview*:

- The water right licenses and decrees for the federal reservoirs, under the following water right numbers: 63-3618 (Lucky Peak), 63-303, 63-3613, (Arrowrock), 63-3614 (Anderson Ranch). These documents can be accessed through the Department's online "Water Right Research" webpage. SRBA partial decrees can be accessed through the SRBA website.
- The SRBA water right claims, recommendations, and (if applicable) disallowed orders or decrees for the federal reservoirs, under the following water right claim numbers: 63-3618 (Lucky Peak), 63-303, 63-3613, 63-2158, 63-5261, 63-5262, (Arrowrock), 63-3614, 63-5261 (Anderson Ranch). These documents can be accessed through the Department's online "Water Right Research" webpage, and/or through the SRBA website.
- Filings made by the parties and all orders entered by the Court in the SRBA proceedings for the above-listed water rights and water rights claims. These documents can be accessed through the SRBA website; many can also be accessed through the Department's online "Water Right Research" webpage.
- Documents in the Department's files for each of the above-listed water rights and water rights claims. These documents are available online at the Department's website, through the "Water Right Research" webpage. The Department's hard copy water right files can be reviewed at the Department's state office in Boise.
- The annual watermaster reports for Water District 63 (the "Black Books"). Hard copies can be reviewed at the Water District 63 office in Star and/or at the Department's state office in Boise upon request.
- Water District 63 records of water distribution, water accounting, and/or reservoir operations in the possession of the Department, including reports, analyses, manuals, printouts, correspondence, memoranda, presentations, advisory committee minutes, etc. These documents can be reviewed at the Department's state office in Boise upon request.
- Federal reports, manuals, operating procedures, correspondence, contracts, agreements, etc., in the possession of the Department, pertaining to the operation of the federal reservoirs. These documents can be reviewed at the Department's state office in Boise upon request.

The Director will also take official notice of the Documents listed in Attachment A to *IDWR Witness, Exhibit, and Document List*.

Dated this 19th day of August 2015.


 GARY SPACKMAN
 Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of August 2015, I served the foregoing to the following and by the method indicated below:

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