

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

IN THE MATTER OF MODIFYING
THE BOUNDARIES OF THE
AMERICAN FALLS GROUND
WATER MANAGEMENT AREA

**NOTICE OF CONTESTED CASE
AND NOTICE OF STATUS
CONFERENCE**

NOTICE OF CONTESTED CASE

On August 29, 2003, the Director of the Department of Water Resources (“Director” or “Department”) issued the *Final Order Modifying the Boundaries of the American Falls Ground Water Management Area* (“Final Order”). The Final Order modified the boundaries of the American Falls Ground Water Management Area (“American Falls GWMA”) by removing the areas designated as Water District No. 120 and Water District No. 130 from the American Falls GWMA. Pursuant to Idaho Code § 42-233b, notice of the modification of the boundaries of the American Falls GWMA was published in two (2) consecutive weekly issues of newspapers of general circulation in the area.

On October 2, 2003, the Twin Falls Canal Company and North Side Canal Company (“Canal Companies”) filed a *Petition to Initiate Contested Case* (“2003 Petition”) with the Department seeking administrative review of the Final Order. The Canal Companies further requested a stay of the Final Order and a hearing for the issues discussed in their petition. *2003 Petition* at 8. They simultaneously filed the *Motion to Stay August 29, 2003 Order* with the 2003 Petition.

On November 21, 2003, the Department served the *Notice of Contested Case and Notice of Status Conference* on the parties, setting the status conference to be held on December 12, 2003.

Petitions to intervene in this proceeding were filed by the Idaho Ground Water Appropriators, Inc. (“IGWA”) and the Falls Irrigation District (“FID”) on December 8, 2003 and December 16, 2003, respectively.

A status conference was held on December 12, 2003. Subsequently, the Department issued the *Order on Status Conference and Granting Petitions to Intervene* (“Order on Status Conference”) on December 24, 2003. The Order on Status Conference stayed the proceedings in

this matter until April 1, 2004 and extended the deadline to file petitions to intervene to April 1, 2004. Additionally, the petitions to intervene filed by IGWA and FID were granted and a second status conference was set for April 5, 2004.

From the Director's review of the file in this matter, it does not appear that the second status conference was held.

On August 15, 2013, the Canal Companies filed the *Petition to Schedule Hearing in Contested Case* ("2013 Petition") requesting the Department resume action and set a hearing date for this matter. Also filed on the same day was a petition to intervene and memorandum in support by A&B Irrigation District, American Falls Reservoir District #2, Burley Irrigation District, Milner Irrigation District and Minidoka Irrigation District.

NOTICE OF STATUS CONFERENCE

NOTICE IS HEREBY GIVEN that the Director will conduct a status conference on this matter at 9:00 a.m., December 5, 2013, or as soon thereafter as may be heard, in the Director's Conference Room, at the State Office, Idaho Department of Water Resources, 322 E. Front Street, 6th Floor, Boise, Idaho 83702.

All parties to the matter must be represented in person or by telephone. If participating by telephone: dial **1-215-446-0193** and provide participate code **275568#** when prompted.

The conference will be conducted in accordance with the accessibility requirements of the Americans Disabilities Act. If you require special accommodations in order to attend, participate in or understand the conference, please inform the Department no later than five (5) days prior to the conference. Inquiries for special accommodations should be directed to Deborah Gibson, Idaho Department of Water Resources, P.O. Box 83720, Boise, Idaho 83720-0098, telephone: (208) 287-4803, fax: (208) 287-6800.

DATED this 11th day of October, 2013.



GARY SPACKMAN
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this 11th day of October, 2013, served the foregoing NOTICE OF CONTESTED CASE AND NOTICE OF STATUS CONFERENCE upon all parties of record in this proceeding, by mailing a copy thereof, properly addressed with postage prepaid and by email to:

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