September 19, 2013

RE: Preliminary Order Combining Water Districts in Basin 37 and Inclusion of both Surface and Ground Water Rights in the Combined Water District; and Abolishing the Upper Wood Rivers Water Measurement District

Dear Water Right Holder,

Enclosed please find a copy of the Preliminary Order regarding the above referenced matter. This order creates a new water district for administration of surface water and ground water rights in the Camas Creek drainage area, including merger of Water Districts 37A and 37C with the new district; combines Water Districts 37 and 37M and includes ground water rights from the Upper Wood River Valley and the Silver Creek drainage in the combined district; and abolishes the Upper Wood Rivers Water Measurement District. The records of the Idaho Department of Water Resources ("Department" or "IDWR") show that you own or have an interest in one or more water rights that are located within the water districts or water measurement district affected by the enclosed Preliminary Order.

Also enclosed is an informational sheet that explains options for responding to preliminary orders. Please note that any party subject to the order may file a petition for reconsideration within fourteen (14) days of the service date of the order, which is the date of this letter. The Department will act upon petitions within twenty-one (21) days of their receipt.

The Department will send a separate notice to water users specifying a date, time and location of annual meetings for the new or revised water districts. The water users present at the meetings must consider election of a watermaster, selection of an advisory committee and adoption of a budget. IDWR will organize a steering committee of representative water users within the districts to assist with preparation for the annual meetings. IDWR is considering scheduling at least one steering committee for each water district prior to the annual meetings. If you are interested in participating in a steering committee, please contact Tim Luke, IDWR at 208-287-4959 or by e-mail at tim.luke@idwr.idaho.gov.

Please contact this office or the IDWR regional office in Twin Falls (208-736-3033) if you have any questions concerning the attached order.

Sincerely,

Tim Luke
Water Compliance Bureau

Enclosures: Preliminary Order
Responding to Preliminary Orders issued by IDWR

c: IDWR Southern Region
BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF THE PROPOSED COMBINATION OF WATER DISTRICT NOS. 37, 37A, 37C AND 37M AND THE INCLUSION OF BOTH SURFACE WATER AND GROUND WATER RIGHTS IN THE COMBINED WATER DISTRICT; AND IN THE MATTER OF ABOlishing THE UPPER WOOD RIVERS WATER MEASUREMENT DISTRICT
PRELIMINARY ORDER

The Director (“Director”) of the Idaho Department of Water Resources (“Department”) is required by statute to divide the state into water districts for the purpose of performing the essential governmental function of distributing water among appropriators under the laws of the State of Idaho. In re Idaho Dept. of Water Res. Amended Final Order Creating Water Dist. No. 170, 148 Idaho 200, 211, 220 P.3d 318, 329 (2009). Idaho Code § 42-604 provides the Director with discretion in determining how these mandatory water districts shall be structured, allowing the Director to create new districts, revise existing districts, or even abolish districts, as the Director finds necessary for the efficient distribution of water resources. Id. Idaho Code § 42-706 authorizes the Director to create or abolish a water measurement district if such action is required to properly administer water uses. Based upon the record in this matter, the Department finds, concludes and orders as follows:

FINDINGS OF FACT

1. Water District No. 37 (“WD37”) includes surface water sources and water rights in the Big Wood and Malad River drainages excluding Water District Nos. 37M, 37A and 37C, and is located within portions of Blaine, Camas, Lincoln and Gooding Counties. WD37 annually elects a watermaster and adopts a budget to provide for the distribution of water from the Big Wood River and tributaries in accordance with the priorities of the water rights from those sources. WD37 has provided annual water delivery reports since 1920.

2. Water District No. 37M (“WD37M”) includes surface water sources and water rights in the Little Wood River drainage area from the mouth of Silver Creek to the confluence of the Big Wood River, including the Silver Creek drainage, and is located within portions of Blaine, Camas, Lincoln and Gooding Counties. WD37M annually elects a watermaster and adopts a budget to provide for the distribution of water from the Little Wood River and Silver Creek drainage in accordance with the priorities of the water rights from those sources. WD37M has provided annual water delivery reports since 1920.

3. WD37 and WD37M share the same watermaster, administrative staff and office. This practice of sharing staff and office resources along with submittal of combined annual reports for the two districts has occurred since 1921. Although the two districts still maintain separate budgets, they have in recent years combined their annual meetings to jointly adopt the same resolutions and select a common advisory committee.
4. Water District No. 37A ("WD37A") includes surface water sources and water rights in the Corral Creek drainage located in Camas County. Corral Creek is tributary to Camas Creek. WD37A has been an inactive water district for over 33 years.

5. Water District No. 37C ("WD37C") includes surface water sources and water rights in the Soldier Creek drainage located in Camas County. Soldier Creek is tributary to Camas Creek. WD37C has been an active water district over the past twenty years. The district holds annual meetings and elects a watermaster but does not consistently provide annual meeting minutes or other reports required of water districts pursuant to chapter 6, title 42, Idaho Code.

6. In 1980, the Director issued a policy memorandum declaring surface water in the Big Wood River basin upstream from Magic Reservoir, including Camas Creek, was fully appropriated.

7. On June 28, 1991, the Director issued an order creating the Big Wood River Ground Water Management Area pursuant to Idaho Code § 42-233b. The management area included ground water located within the Wood River Valley and the Camas Creek drainage above Magic Reservoir, and the Silver Creek/Bellevue triangle area. Finding of Fact 2 from the order stated the following:

   The surface and ground waters of the Big Wood River drainage are interconnected. Diversion of ground water from wells can deplete the surface water flow in streams and rivers. New ground water uses can also deplete available supplies for other users and affect basin underflow which presently accumulates in the Magic Reservoir.

8. On September 21, 2011, the Department created the Upper Wood Rivers Water Measurement District ("UWRWMD") for the purpose of measuring and reporting ground water diversions located within the Department’s Administrative Basin No. 37 ("Basin 37") and the Upper Big and Little Wood River drainages outside of the Eastern Snake Plain Aquifer ("ESPA"). The measurement district included ground water rights in the Camas Creek drainage area. Camas Creek is tributary to the Big Wood River at Magic Reservoir.

9. On February 20, 2013, the Snake River Basin Adjudication ("SRBA") District Court issued an order authorizing the Director to distribute water pursuant to chapter 6, title 42, Idaho Code, in accordance with the Director’s Reports and partial decrees that have superseded the Director's Reports for those surface and ground water rights located in Basin 37, part 2 (Camas and Clover Creek drainage areas) and part 3 (Upper Big and Little Wood River drainage areas). The District Court’s order found that “interim administration … is reasonably necessary to efficiently administer water rights and to protect senior water rights.”

10. On July 10, 2013, the Director prepared a notice of public hearing proposing the following actions pursuant to the provisions of Idaho Code §§ 42-604 and 42-706:
   i. Combine WD37, WD37M, WD37A and WD37C;
   ii. Include surface water rights from the Camas Creek drainage in the combined water district, except surface water rights used for domestic and stock water purposes as defined by Idaho Code §§ 42-111 and 42-1401A(11) and surface water rights used for in-stream watering of livestock as defined by Idaho Code § 42-113;

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1 The UWRWMD included ground water rights located within the Snake River Basin Adjudication reporting areas of Basin 37, Parts 2 and 3.
iii. Include in the combined water district ground water rights from the UWRWMD overlying the combined district in that portion of Basin 37 outside of the ESPA, except ground water rights for domestic and stock water uses as defined by Idaho Code §§ 42-111 and 42-1401A(11); and,

iv. Abolish the UWRWMD.

The notice was sent by regular U.S. Mail on July 12, 2013, to each holder of a water right affected by the proposed actions above except holders of ground water rights used for domestic and stock water purposes as defined by Idaho Code §§ 42-111 and 42-1401A(11), and surface water rights used for in-stream watering of livestock as defined by Idaho Code § 42-113. The hearing notice described the proposed actions, the reasons therefore, and the time and place for a hearing to be held on July 30, 2013 concerning the proposed actions. The notice also provided a time period within which written comments on the proposed action would be accepted.

11. The notice explained that the proposed combination and revision of water districts is necessary in order to properly administer the water uses and water rights from both surface water and ground water sources in the combined water district area. The notice also explained that the UWRWMD was created in 2011 for the purpose of measuring and reporting ground water right diversions only and that regulation of ground water rights within the UWRWMD can only be accomplished through a water district created or modified pursuant to Idaho Code § 42-604.

12. On July 30, 2013, commencing at approximately 6:30 p.m. at the Blaine County School District Community Campus Auditorium in Hailey, Idaho, the Department conducted a public hearing concerning the proposed combination and revisions of water districts, and the abolishment of the UWRWMD. Allen Merritt, the Department’s Southern Regional Manager, presided as hearing officer. Approximately 65 people attended the hearing.

13. The hearing officer initiated the hearing by explaining the hearing process. Department representative Tim Luke gave a presentation that described the proposed water district combination and revisions, the features and operation of water districts, the reasons for the proposed actions, and the rights and uses proposed to be included in the combined water district. The Department presented the following reasons for the proposed actions:

- Combining surface water rights from WD37 and WD37M will formalize a merger that has essentially been accomplished for a number of years. Combining the two districts will promote efficiency by eliminating dual budgets and duplication of certain processes.
- Ground water rights in the UWRWMD and most surface water rights in the Camas Creek drainage are not currently included in a water district subject to administration by a watermaster in an active water district. The UWRWMD has no authority to regulate ground water rights and is limited to measurement and reporting of ground water diversions only. Water rights not currently included in a water district whose sources of water have been adjudicated must be placed in a water district pursuant to Idaho Code § 42-604 “to properly administer uses of the water resource.”
- The proposed combination of water districts and inclusion of surface water and ground water rights in one water district will provide for proper conjunctive administration of surface and ground water rights and the protection of senior priority water rights.
- The proposed combination of water districts and inclusion of surface water and ground water rights in one water district will provide for consistent, cost effective and efficient water district operations.
- Maintaining all of the ground water rights from the UWRWMD in one water district with surface water rights from WD37/37M will provide a consistent organizational structure
that can manage the measurement of ground water diversions as required by the Department.

- About 100 ground water rights in the Wood River Valley above Magic Reservoir and in the Silver Creek drainage are already regulated by the WD37/WD37M watermaster. Most of these rights require WD37/37M watermaster control because they are mitigated by surface water rights or because ground water is commingled with surface water sources. The Department believes it is more efficient and practical for all the ground water rights in the same area to be administered by one water district rather than separate water districts. It is not practical to remove the approximate 100 ground water rights in WD37 and WD37M to a separate water district given the existing watermaster control conditions and relationship with surface water rights and sources.

- The proposed combination of water districts and inclusion of surface water and ground water rights in one water district would simplify administration of the SRBA General Provisions for Basin 37, Part 2. These provisions stipulate that a large number of surface water rights in the Camas drainage are to be administered separately from all other rights in Basin 37. An additional but much smaller group of surface water rights are to be administered separately from all other water rights in Basin 37 but certain rights held by the Big Wood Canal Company may call for water delivery of water against this smaller group. All other Camas drainage surface water rights not listed in these General Provisions, and all Camas drainage ground water rights are to be administered with other water rights in Basin 37.

- Abolishing the UWRWMD is necessary if ground water rights in the UWRWMD are placed in a water district.

14. Following the presentation, the hearing officer provided time for hearing participants to ask questions’ regarding the Department’s proposed actions.

15. Persons attending the hearing were provided an opportunity to make oral statements for the record. In addition, the hearing officer held the record open through August 9, 2013 to receive written testimony.

16. Eleven (11) individuals testified at the hearing. Thirteen (13) individuals submitted written comments, including four (4) of the individuals who testified at the July 30, 2013 public hearing. One of the individuals submitting both oral testimony and written comments represented two separate groups of affected water users.

17. Five (5) individuals holding water rights or representing the holders of water rights within the Camas drainage testified against the Department’s proposal to include the Camas drainage in a combined water district with water rights from WD37/37M and ground water rights from the Big Wood River Valley upstream of Magic Reservoir and the Silver Creek drainage. These five individuals proposed a single water district for the Camas drainage composed of both surface water and ground water rights, including rights from WD37A and WD37C. Four (4) additional individuals submitted written comments in supporting a separate Camas drainage water district.

18. Jim Speck, one of the five individuals who testified in support of a separate Camas drainage water district, spoke as a representative of numerous surface water and ground water right holders in the Camas drainage who had signed petitions requesting the Department “to create a new and separate water district for the administration of our rights and not add them to Water District 37.” Copies of the signed petitions with associated water right owner names and water right identification
numbers were submitted to the Department before the close of the written comment period. Mr. Speck testified that fifty-four (54) of seventy-seven (77) surface water users, and thirty-nine (39) of forty-one (41) ground water users in the Camas drainage had signed petitions supporting a separate water district. Mr. Speck further testified that the users signing the petitions supported the merger or inclusion of WD37A and WD37C with all other surface and ground water rights in the Camas drainage under one water district separate from WD37.

19. Reasons cited by the supporters of a separate water district for surface water and ground water rights in the Camas Creek drainage, including rights from WD37A and WD37C include:

- The Camas drainage area aquifer is different and separate from the Wood River Valley aquifer and the two aquifers are not connected. The two aquifers may be considered “independent” sources of water supply in accordance with Idaho Code § 42-604, thereby justifying creation of separate water districts.
- A ground water model is currently being developed for the Wood River Valley and Silver Creek/Bellevue triangle area (most of Basin 37, part 3). This model does not include the Camas Creek area aquifer (most of Basin 37, part 2) and no effort is currently being made to develop a model for the Camas Creek area aquifer. Lack of a ground water model for the Camas drainage aquifer prohibits the ability to implement conjunctive administration of water rights from that portion of Basin 37. Moreover, mitigation that might be provided from the Camas drainage would be completely separate from mitigation that might be developed in the Upper Wood River Valley and the Silver Creek/Bellevue triangle area.
- Upper Wood River Valley water issues are not present or do not exist in the Camas Creek drainage area. There are almost no common water administration issues between Basin 37, parts 2 and 3.
- The SRBA General Provisions for Basin 37, part 2 stipulate that many surface water sources are to be administered separately from all of the water rights in Basin 37.
- A separate water district for the Camas drainage area would better serve the right holders in the area due to local control and supervision. A bigger water district does not necessarily translate to a better water district. Users in the area are willing to pay some additional costs if necessary for the benefit of local control.
- Water users in the Camas drainage would not be adequately represented in a larger combined water district because water use in the Camas drainage may be relatively smaller than other areas of the proposed combined district.
- Ground water pumping in the Camas drainage has minimal impact on the Big Wood River, and the surface water in the drainage is intermittent or separate from the Big Wood River after the early spring snow melt and high flow runoff.

20. In accordance with the SRBA General Provisions for Basin 37, part 2, nearly all of the consumptive use surface water rights in the Camas drainage (about 215 out of 267 rights) are to be administered separately from all other water rights in Basin 37. There are about seventeen (17) rights in the Camas drainage that are to be administered separately from all other rights in Basin 37 but these seventeen rights may be subject to a delivery call of certain rights held by the Big Wood Canal Company. This leaves only about thirty-five (35) rights in the drainage that do not enjoy the benefits of any separate administration provisions.

21. Ground water rights in the Camas drainage are subject to administration with other rights in Basin 37 and are also subject to measurement and reporting requirements established by the Department when it created the UWRWMD. There are approximately 80 ground water diversions in the
UWRWMD and Camas drainage. Many of the owners of these 80 ground water diversions and associated ground water rights also hold surface water rights in the Camas drainage.

22. Three (3) individuals holding ground water rights or representing the holders of ground water rights within the Big Wood River drainage above Magic Reservoir or within the Silver Creek drainage area testified against the Department’s proposal to include ground water rights with surface water rights in a combined WD37. These individuals instead supported a separate water district for the holders of ground water rights. One of these three individuals also voiced support for formation of a ground water sub-district within a combined WD37.

23. Five (5) individuals submitted written comments opposing the inclusion of ground water rights in the same water district as surface water rights, including Mr. Speck; Mike Creamer, representing the City of Hailey; Bruce Smith, representing the City of Ketchum; Evan Robertson, representing the Sun Valley Water and Sewer District; and James Laski, representing himself as the owner of a small surface water right. Two (2) of these five individuals (Speck and Creamer) provided oral testimony at the hearing. Mr. Speck testified at the hearing that he represented nine (9) ground water users in the Big Wood Valley or Silver Creek area but he submitted written comments on behalf of twenty-seven (27) ground water right holders. The written comments submitted by Mr. Speck and Mr. Robertson stated support for the testimony and comments provided by Mr. Creamer. Mr. Creamer’s written comments supported a separate water district of ground water rights located within Basin 37, part 3. The written comments submitted by Mr. Laski also voiced opposition to include water rights from the Camas drainage with those from the Wood River Valley in one combined water district. The comments submitted by Mr. Smith on behalf of the City of Ketchum also opposed the abolishment of the UWRWMD.

24. Reasons cited by those opposing the inclusion of ground water rights in a water district with surface water rights include:
   - Adversarial interests between ground water users and surface water users resulting from any potential conjunctive administration process would compromise the operations of a water district where surface and ground water rights are combined. Conflicts between surface and ground water users may negatively impact the ability of the combined district to function efficiently and cooperatively.
   - Ground water right holders would be out voted in a combined water district because the amount of ground water use is significantly less than the amount of surface water use in the proposed water district.
   - Ground water users may not be adequately represented on an advisory committee selected for the proposed water district.
   - Ground water users may bear a disproportionate cost of water district operations because the budget of the UWRWMD is significantly less than the combined budgets of WD37 and 37M.
   - Water districts have been created in the ESPA that are composed primarily of ground water rights. Those water districts have worked well and provide a good model for Basin 37, parts 2 and 3.
   - The ground water model for Upper Wood River and Silver Creek/Bellevue triangle area must be completed before ground water and surface water rights can be combined in a single water district.
   - The Department should have presented a budget for the proposed water district as part of its’ hearing notice or hearing presentation. Costs, management and potential
administrative conflicts between ground and surface users should be explained before combining surface and ground water rights in one district.

- It may be difficult or legally impossible to address potential delivery calls from holders of senior surface water rights and potential mitigation requirements of junior ground water right holders if surface and ground water users are combined in one water district.

25. Two (2) individuals owning surface water rights in WD37 or WD37M testified at the hearing in support of the Department’s proposal of a combined water district for both surface water and ground water rights. One of these 2 individuals, Fred Brossy, spoke on both his own behalf and on behalf of the WD37 and WD37M Advisory Committee. Mr. Brossy is the chairman of the WD37/WD37M Advisory Committee.

26. One (1) individual owning several small irrigation ground water rights in the Upper Wood River Valley and the UWRWMD submitted written comments supporting the Department’s proposal for combining surface water and ground water rights in one water district.

27. Reasons cited by those supporting the Department’s proposal include:
   - The WD37/37M advisory committee has long supported the administration of ground water rights above Magic Reservoir (including the Camas drainage) and the Silver Creek drainage with surface water rights in WD37/37M. The committee petitioned the Director to begin administration of ground water rights many years ago.
   - Ground water and surface water sources within Basin 37, parts 2 and 3 are connected as one water source so administration of rights in one district is reasonable.
   - Combining surface water and ground water rights in one water district will generally provide for more effective, efficient, lawful and equitable administration of water rights.
   - More effort is needed to complete the measurement of ground water diversions in the area. Ground water measurement compliance may be accomplished under one water district.
   - Cost assessments to ground water users and surface water users under one combined water district should not be more than the current level of assessments.
   - A combined water district will promote an opportunity for ground water and surface water users to work together on problems affecting the two groups. A single district will create a more regional approach to water management and resolution of basin wide issues whereas separate districts may provide more local control but result in more local conflicts.
   - Delays in combining surface water rights and ground water rights in one water district may delay effective conjunctive administration of water resources.

28. The watermaster of WD37 and WD37M, Kevin Lakey, submitted written comments that addressed some of the testimony at the hearing regarding concerns about conjunctive management. Mr. Lakey noted that water users at annual water district meetings only vote on district “budget, hiring and resolutions” and not “on how conjunctive management will be enforced.” Mr. Lakey also noted that representation on the WD37/37M advisory committee is not based on the amount of water delivered but rather on geographical areas and types of beneficial use. Mr. Lakey believed that a fair representation of water users can be established in a combined water district.

29. One (1) individual representing himself as the owner of a small irrigation ground water right in the Bellevue triangle area testified at the hearing that he did not support the Department’s proposal and generally did not support the inclusion of his ground water right in any water district because such action will derive no benefit to him. This individual however did state that he was more
supportive of smaller units of administration because his right and interests “would not be lost in the shuffle.”

CONCLUSIONS OF LAW

1. Idaho law declares all surface water, when in natural channels or springs or lakes, and all ground water within the State of Idaho to be the property of the state, whose duty it is to supervise the appropriation and allotment of the water to those diverting the same for beneficial use. See Idaho Code §§ 42-101, 42-103, and 42-226.

2. The Director, acting on behalf of the State of Idaho, has the statutory authority to control the appropriation and use of all surface and ground waters within the state in accordance with, but not limited to, Idaho Code §§ 42-101, 42-103, 42-202(1), 42-220, 42-226, 42-237a.g., 42-351, and 42-602 et seq.

3. The Director has responsibility for direction and control over the distribution of water in accordance with the prior appropriation doctrine as established by Idaho law within water districts to be accomplished through watermasters supervised by the Director, and subject to removal by the Director, as provided in chapter 6, title 42, Idaho Code.

4. Idaho Code § 42-604 mandates the Director form water districts as necessary to properly administer uses of water from public streams, or other independent sources of water supply, for which a court having jurisdiction thereof has adjudicated the priorities of appropriation. In re Idaho Dept. of Water Res. Amended Final Order Creating Water Dist. No. 170, 148 Idaho 200, 211, 220 P.3d 318, 329 (2009). Efficient distribution of water, in accordance with the legislative mandate, requires that IDWR implement sufficient administrative oversight to prevent conflicts from arising, where possible, and to furnish a framework of evenhanded oversight which allows for consistent planning by water users. Id. The combination and revision of water districts within Basin 37, parts 2 and 3 is necessary for the reasons set forth in Finding of Fact 13 and for the efficient administration of water rights in general.

5. Idaho Code § 42-1417 provides that the district court having jurisdiction over a general water rights adjudication may authorize the interim administration of water rights pursuant to chapter 6, title 42, Idaho Code, prior to the entry of a final decree, in accordance with Director's Reports filed with the court, with or without modification by the court, or in accordance with partial decrees that have superseded the Director's Reports.

6. All of the surface and ground water rights claimed in the SRBA and within Basin 37, parts 2 and 3, have been partially decreed or reported to the SRBA District Court.

7. Idaho Code § 42-227 provides that a water right permit may be issued, but shall not be required for appropriation of ground water for domestic and stock water purposes as defined under Idaho Code § 42-111.

8. Idaho Code § 42-113 provides that a water right permit may be issued, but shall not be required for appropriation of water for the in-stream watering of livestock.
9. Idaho Code § 42-706 provides that the Director may create, revise the boundaries of, or abolish a water measurement district or combine two or more water measurement districts by entry of an order if such action is required in order to properly administer uses of the water resource.

10. Much of the oral testimony from the hearing and the written testimony received after the hearing focused on the creation of a separate water district for the Camas drainage that would include both surface and ground water rights, including rights from WD37A and WD37C. Reasons that water users cited for creation of a separate district are listed in Finding of Fact 19.

11. The Department concludes that a separate water district for the Camas Creek drainage composed of surface water rights may provide for proper administration of surface water rights. The Department concludes that the small number of surface water rights in the drainage that are required to be administered with other rights in Basin 37 as described in Finding of Fact 20 may not justify including Camas drainage surface water rights in a large water district. The Department concludes that administration of these limited numbers of rights can be accomplished by a watermaster in a separate Camas drainage water district working in coordination with the watermaster from WD37 and with both watermasters working under the direction of the Director.

12. The Department concludes that the Camas drainage aquifer system is characteristically different from the Upper Wood River Valley aquifer system but the aquifer systems are hydraulically connected to each other and the Big Wood River\(^2\). The Department agrees with testimony that the amount of ground water use from the two aquifer systems are different and water resource issues in the two areas may vary. The Department also agrees with testimony that conjunctive administration of surface and ground water rights in the Wood River basin is likely imminent. The Department does not conclude that ground water rights in the Camas drainage are immune to conjunctive administration simply because ground water use is less or because the drainage has not yet been included in the development of a ground water model.

13. Although ground water rights in both the Camas drainage and the Upper Wood River Valley and Silver Creek drainages may need to be conjunctively administered together with surface water rights in Basin 37, the Department concludes that the limited number of ground water rights and wells in the Camas drainage can be administered properly by including them with surface water rights in a separate Camas drainage water district that is under the direction and control of the Director.

14. The Department adopts this structure with some hesitation because conjunctive administration of water rights in Basin 37 may be more challenging when the water rights are in separate water districts and because many ground water diversions in the Camas drainage are not yet in full compliance with Department measurement orders. The Department would prefer to place the Camas drainage in a well established operational water district such as WD37 that has experienced staff, equipment and other resources rather than start a new water district that has no existing staff or resources. If ground water or surface water rights in the Camas drainage cannot be administered or properly measured in a separate water district, then the Director may abolish the district, revise the boundaries of the district or combine the district with another water district in accordance with Idaho Code §42-604.

15. Much of the oral testimony from the hearing and the written testimony received after the hearing also focused on the creation of a separate water district for ground water rights in the Upper

Wood River Valley and the Silver Creek/Bellevue triangle drainage area. Reasons that water users cited for creation of a separate district are listed in Finding of Fact 24.

16. Testimony was provided opposing the proposed combination of ground water and surface water rights in a water district due to concerns that “conjunctive administration of surface and ground water rights is imminent and is an inherently adversarial process” which will “bleed over into the business of WD37.” Water districts are limited to administration of water rights, including measurement and regulation of diversions. Adversarial tensions between ground water and surface water users resulting from potential conjunctive administration of water rights should not negatively affect water district operations given the limited regulatory scope of the water district and the fact that conjunctive administration is guided by separate processes outlined in the Conjunctive Management Rules (CMR’s) (IDAPA 37.03.11). The Department agrees with the testimony of Kevin Lakey, WD37 watermaster, which notes that decisions regarding conjunctive administration will be made and enforced by the Director. Conjunctive administration will not be resolved within the venues or forums of a combined water district. Moreover, the CMRs have been implemented and mitigation has been successfully implemented within WD130 without disruption to the operations of that water district despite the fact that both surface water and ground water rights are included in the district.³

17. Additional testimony suggested that it may be “legally impossible to address potential delivery calls from holders of senior surface water rights and potential mitigation requirements of junior ground water right holders if surface and ground water users are combined in one water district” and that “management and potential administrative conflicts should be explained before combining surface and ground water rights in one district.” This testimony appears to confuse conjunctive administration issues with the narrow and limited regulatory scope of water district operations. Again, conjunctive administration and mitigation has been implemented “legally” in WD130 where surface water and ground water rights coexist. The Department proposed combining ground water rights and surface water rights in one district for the reasons stated in Finding of Fact 13. The Department is statutorily obligated to create or modify water districts largely to provide a regulatory structure to address water distribution problems and minimize potential conflicts. Water districts are not authorized to address potential mitigation requirements of junior ground water right holders but they are authorized to enforce mitigation requirements that may be required pursuant to orders of the Director under the CMRs. Potential mitigation requirements must be addressed by the holders of junior ground water rights working independent from a water district and preferably through a ground water district organized in accordance with chapter 52, title 42, Idaho Code.

18. Witnesses opposed combining ground water rights with surface water rights in a water district because surface water use is significantly more than ground water use in the proposed district and surface water users may out vote ground water users under the alternative method of voting allowed under Idaho Code § 42-605(4). The testimony cited concerns that the interests of ground water users will not be represented “because implementing conjunctive administration in the Big Wood River Basin will be contentious.” The Department notes that voting at annual water district meetings is limited to the adoption of a budget, election of a watermaster and treasurer, selection of an advisory committee and adoption of resolutions related to the operation of the water district. Conjunctive administration issues and decisions will not be subject to voting at annual water district meetings. Moreover, the concern that ground water users will be outvoted or “unrepresented” discounts the fact that about 100 ground water rights have been included in WD37 and WD37M for a number of years. The Department is not aware of complaints or concerns from those ground water users regarding “unrepresented” interests or control by

³ WD130 includes ground water rights in the ESPA overlying Basins 36, 37 and 41 and surface water rights from the Thousand Springs area overlying the ESPA and Basins 36 and 37.
surface water users. Additionally, the holders of many ground water rights in the proposed combined water district also hold surface water rights in WD37 or WD37M. It is not clear that the interests of ground water users would be poorly represented when so many ground water users also own surface water rights that are presently administered by WD37/37M.

19. Witnesses opposed the proposed combination of ground water and surface water rights in a water district because ground water users may not be adequately represented on an advisory committee due primarily to the disparity in the amount of water use between surface and ground water users. Idaho law does not vest specific power in an advisory committee. The committee provides advice to the watermaster, the Director and the water users of the water district. The WD37/37M watermaster testified that the WD37/37M advisory committee representation is not based on the amount of water diverted but rather on geographical regions and types of beneficial water use. He added that if a combined district is formed, a steering committee will be selected to recommend, among other things, the organization of an advisory committee. The steering committee concept is consistent with the recommendation made by the Department during its presentation at the public hearing. The WD37/37M advisory committee chairman testified at the public hearing that he was confident that concerns about representation of ground water users on an advisory committee could be addressed. The Department concludes that an advisory committee can be selected that provides adequate representation of all water users in the proposed water district comprised of both surface water and ground water rights.

20. Witnesses testified that ground water rights in the Upper Wood River Valley and Silver Creek drainage should be placed in a separate water district because several water districts already exist in the ESPA that are composed primarily of ground water rights which provide a good model for ground water administration in the Big Wood River Basin. The Department acknowledges that there are several ESPA water districts that are limited to ground water rights but there is at least one ESPA water district, WD130, which includes both surface water and ground water rights. WD130 was created in 2002 when conjunctive administration of surface water and ground water rights within the district was imminent. Subsequently, conjunctive administration delivery calls have been made and the CMRs have been implemented. WD130 has functioned successfully despite contention among surface water and ground water users in the district. The Department recommends that ground water rights in the Upper Wood River Valley and Silver Creek drainage be combined with WD37 and WD37M because administration of the rights would be more efficient.

21. Witnesses testified that ground water rights in the Upper Wood River Valley and Silver Creek drainage should be placed in a separate water district due to concerns that water district administration costs can’t be fairly allocated in a combined district. Specifically, a concern was expressed that ground water users “would wind up bearing a disproportionate cost of water district operations.” In accordance with Idaho Code §42-610, water district costs are assessed to individual users based on the amount of water delivered. The WD37/37M advisory committee chairman testified at the public hearing that the current advisory committee members are concerned that surface water users could actually end up paying a disproportionate share of district costs because the costs of measuring the wells may be higher than expected since so many wells are not yet in compliance with the Department’s ground water measurement order. The committee chairman testified that the WD37/37M advisory committee wishes to maintain the water district assessment rates. The Department’s limited analysis indicates that if the WD37 2013 assessment rate were adopted and applied to both surface water and ground water deliveries in a combined water district, most ground water users would have an

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4 Assessment records of the UWRWMD and WD37/37M show that about 41% of the water users assessed by the UWRWMD are also assessed by WD37/37M. A majority of the holders of large irrigation ground water rights in the UWRWMD also hold surface water rights in WD37/37M.
While the testimony raised concerns about ground water users bearing a disproportionate share of district costs, no evidence was given to substantiate the concern.

22. Written testimony suggested that suggested the Department should have presented a budget for the proposed combined water district. Chapter 6, title 42, Idaho Code does not require the Department to present a proposed budget when creating a water district, modifying the boundaries of a water district or combining two or more water districts. Rather, Idaho Code § 42-605 requires that the water users at an annual water district meeting must adopt a budget. The Department presented information at the hearing suggesting that a steering committee be formed consisting of affected ground water users and members from the WD37/37M advisory committee to consider a budget that could be presented at the first annual meeting of a combined water district. Department representatives at the public hearing cautioned about the appropriateness of the Director dictating a budget to the users in contrast with the requirements of § 42-605. The Department representative stated at the hearing that the current budgets for WD37/37M were adequate for administration of surface water rights, but the budget needed for administration and on-going measurement of ground water rights might need to be somewhat higher than the 2013 UWRWMD budget. The Department finds that combining the 2013 WD37/37M and UWRWMD budgets and deliveries, or estimate of deliveries for the UWRWMD, would result in an assessment rate that is similar to the 2013 WD37/37M and UWRWMD assessment rates.

23. Witnesses suggested the ground water model for the Upper Wood River and Silver Creek/Bellevue triangle area must be completed before ground water and surface water rights can be combined in a single water district. Again, this testimony appears to confuse conjunctive administration issues with the narrow and limited regulatory scope of water district operations. Completion of a ground water model is not a legal requirement or prerequisite for including both surface water and ground water rights in one water district. The Department has created several water districts in the State that include both surface and ground water rights without having a ground water model completed.

24. Based upon the above statutory authorities, the order of the SRBA District Court authorizing the interim administration of water rights pursuant to chapter 6, title 42, Idaho Code, and the record in this proceeding, the Director should take the following actions:

i. Combine WD37 and WD37M into one water district to be designated as WD37;
ii. Combine ground water rights in the Upper Wood River Valley and the Silver Creek/Bellevue triangle area with surface water rights in a combined WD37 to regulate water rights, and protect senior priority water rights in Basin 37;
iii. Create a separate water district to administer both surface and ground water rights in the Camas Creek drainage including water rights from WD37A and WD37C to regulate water rights, and protect senior priority water rights in Basin 37; and
iv. Abolish the UWRWMD.

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5 This was determined by applying the WD37 2013 assessment rate to reported annual water use from certain municipal providers and 2013 water use from several UWRWMD metered ground water irrigation wells. The 2013 minimum assessment rate for the UWRWMD was over $50 whereas the minimum assessment rate in WD37 and WD37M was only $40. Given the significantly larger proportion of surface water use in a combined district, many of the smaller ground water users would be subject to a minimum rate assessment not to exceed $50.
ORDER

IT IS HEREBY ORDERED that:

1. Water District No. 37 and Water District No. 37M are hereby combined as one water district together with all ground water rights located within the boundaries of the combined water district but outside the boundaries of the ESPA and Water District No. 130 as shown in the map appended hereto as Attachment A, except water rights used for domestic and stock water purposes as defined by Idaho §§ 42-111 and 42-1401A(11) and water rights used for in-stream watering of livestock as defined by Idaho Code § 42-113. The combined water district shall be designated as Water District No. 37, Big and Little Wood Rivers, and shall become effective January 6, 2014. The map attached hereto as Attachment B shows the boundaries of Water District Nos. 37 and 37M prior to the districts being combined pursuant to this Preliminary Order.

2. Water District No. 37 shall include ground water and all streams tributary to the Big Wood River and Little Wood River except Camas Creek and tributaries, and shall exclude Water District No. 37N (Upper Little Wood River and tributaries), Water District No. 37-O (Muldoon Creek and tributaries) and Water District No. 37U (Fish Creek and tributaries), and the lower portion of the Malad River and tributaries downstream and west of the point where the boundary common to Township 6 South and Range 13 East and Township 6 South and Range 14 East crosses the Malad River (approximately where Interstate 84 crosses the Malad River). The map attached hereto as Attachment B shows the locations of Water District Nos. 37-N, 37-O and 37-U.

3. The annual meeting of Water District No. 37 shall be held on January 6, 2014 to elect a watermaster, select an advisory committee, if desired, and set a budget for operating the district. The Director will send a separate notice to the holders of water rights in the water district providing a reminder of the meeting date and announcing the time and location for the meeting.

4. The water users attending the Water District 37 annual meeting shall adopt one budget for administration and measurement of both surface water rights and ground water rights. Ground water rights that are subject to assessment shall be assessed in the same manner as surface water rights and in accordance with the provision of chapter 6, title 42, Idaho Code. In cases where water delivery records do not exist for water rights, the assessments must be based on a reasonable estimate of water use during the previous season or seasons, not exceeding five seasons.

5. Water District No. 37-B is created to include all surface water and ground water rights in the Camas Creek drainage in Basin 37 as shown in the map appended hereto as Attachment A. Water District No. 37A and Water District No. 37C shall be merged with Water District 37-B. Water District 37-B shall exclude water rights used for domestic and stock water purposes as defined by Idaho §§ 42-111 and 42-1401A(11) and water rights used for in-stream watering of livestock as defined by Idaho Code § 42-113. The map attached here to as Attachment B shows the boundaries of former Water District Nos. 37-A and 37-C.

6. As soon as practicable in calendar year 2014, the holders of water rights within Water District No. 37-B shall meet at a date, time and place to be announced by the Director to conduct its annual meeting to elect a watermaster, select an advisory committee, if desired, and set a budget for operating the district.
7. The Director shall issue a separate order requiring the installation of measuring devices and controlling works for surface water right diversions within Water District No. 37-B.

8. The Director shall consider combining all or portions of Water District No. 37-B with Water District No. 37 if Water District No. 37-B does not comply with the provisions of chapter 6, title 42, Idaho Code or if a majority of water users in the water district do not comply with existing or future orders of the Department requiring water measurement devices or controlling works.

9. The watermasters for Water District Nos. 37 and 37-B shall perform the following duties in accordance with guidelines, direction, and supervision provided by the Director:

   a. Measure, collect, and record the diversions under water rights;
   b. Administer and enforce water rights in priority; and
   c. Curtail unauthorized or excessive diversions as necessary (i.e., any diversion without a water right or in excess of the elements or conditions of a water right).
   d. Coordinate delivery by priority of rights that do not enjoy the benefits of any separate administration provisions as decreed in the SRBA.

IT IS FURTHER HEREBY ORDERED that:

1. The Upper Wood Rivers Water Measurement District is hereby abolished effective December 31, 2013. The measurement district will continue to operate in accordance with chapter 7, title 42, Idaho Code, until December 31, 2013. The map attached hereto as Attachment B shows the boundaries of the measurement district.

DATED this 17 day of September, 2013.

Allen Merritt
Hearing Officer
Attachment B
Basin 37 Water Districts and Measurement District Prior to Preliminary Order
EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was held)

The accompanying order is a Preliminary Order issued by the Idaho Department of Water Resources (Department) pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the hearing officer within fourteen (14) days of the service date of the order as shown on the certificate of service. Note: the petition must be received by the Department within this fourteen (14) day period. The hearing officer will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party’s position on any issue in the proceeding to the Director. Otherwise, this preliminary order will become a final order of the agency.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have fourteen (14) days to respond to any party’s appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Director. The Director retains the right to review the preliminary order on his own motion.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.
CERTIFICATE OF SERVICE

All exceptions, briefs, request for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

(a) The petition for reconsideration is disposed of; or
(b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of September 2013, the above and foregoing document was served on each individual or entity on the service list for this matter on file at the Idaho Department of Water Resources, 322 East Front Street, Boise, Idaho, and posted on the Department’s website: www.idwr.idaho.gov. Each individual or entity on the service list was served by placing a copy of the above and foregoing document in the United States mail, postage prepaid and properly addressed.

Documents served: Preliminary Order In the Matter of the Proposed Combination of the Water District Nos. 37, 37A, 37C and 37M and the Inclusion of Both Surface Water and Ground Water Rights in the Combined Water District; and in the Matter of Abolishing the Upper Wood Rivers Water Measurement District

Sarah Garceau
Technical Records Specialist
Idaho Department of Water Resources
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BELLEVUE ID 83313

BELLEVUE FARMS LANDOWNERS ASSN
PO BOX 774
BELLEVUE ID 83313
GERHARDT J BENCK JR AND LA VON M BURGESS-BENCK
710 NORTH FLORENCE
SHOSHONE ID 83352

PAT AND VICKIE BENNETT
BOX 113
HILL CITY ID 83337

BECKY R AND K C BENSON
117 TREASURE LN
HAILEY ID 83333

BARBARA BENSON
97 FREEDOM LOOP
BELLEVUE ID 83313-5013

JUDY AND ROBERT BERGDAHL
PO BOX 2077
BIGFORK MT 59911

BARRY BERNSTEN
110 DELANCEY ST
PHILADELPHIA PA 19106

BIG SKY DAIRY
2395 S 1500 E
GOODING ID 83330-5247

BIG SKY DAIRY
PO BOX 407
JEROME ID 83338

BIG WOOD CANAL CO
C/O LYNN HARMON MANAGER
409 N APPLE ST
SHOSHONE ID 83352

BIG WOOD GOLF COURSE LLC
PO BOX 87
SUN VALLEY ID 83353

BIG WOOD RANCH LLC
PO BOX 9180
SEATTLE WA 98109

ALEX AND MARY BILBAO
893 4 MILE RD
GOODING ID 83330

JAMES H BILBRAY
3128 BEACH VIEW CT
LAS VEGAS NV 89117

BETTY AND BILL GRANT
BILL & BETTY GRANT LIVING TRUST
PO BOX 370
HAILEY ID 83333

BLACK BUTTE HILLS LLC, DIAMOND/SOLDIER PROPERTIES LLC, SMOKEY DOME LLC, SOUTH COVE VENTURES AND SV RANCH LLC
C/O GREGORY VIK
PO BOX 1607
BELLEVUE WA 98009

LAWRENCE J BLACKBURN
PO BOX 2802
KETCHUM ID 83340

BLAINE COUNTY RECREATION DISTRICT
1050 FOX ACRES RD ROOM 100
HAILEY ID 83333

BLAINE COUNTY SCHOOL DISTRICT #61 AND US BANK NATIONAL ASSN
118 W BULLION ST
HAILEY ID 83333

JAMES R BLANDFORD
PO BOX 6451
DENVER CO 80206

BLISS POINT CATTLE INC AND KIM AND TOM FAULKNER
1636 CLOVER CREEK RD
BLISS ID 83314
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RALPH CAMPANALE
PO BOX 947
SUN VALLEY ID 83353

LYNN H AND THOMAS B CAMPION
C/O JAMES P SPECK ESQ
PO BOX 987
KETCHUM ID 83340

LYNN H CAMPION
PO BOX 3710
HAILEY ID 83333

CANadian club Homeowners assn
PO BOX 3179
KETCHUM ID 83340

CARLO AND JENNIFER CANNELL
PO BOX 3459
JACKSON WY 83001

KAREN AND WILLIAM J CANTRELL
1131 BROADFORD RD
HAILEY ID 83333

DENNIS J AND JENNIFER M CARD, JAMES R LASKI AND MAUREEN M MCCANTY
48 TOWNSEND GULCH RD
BELLEVUE ID 83313

PAUL AND POLLY CARNEY
291 S 2800 E
PAUL ID 83347

LAVERN AND OPAL CARPENTER
485 W 4 MILE RD
SHOSHONE ID 83352

GREG C CARR
975 MEMORIAL DR #1008
CAMBRIDGE MA 02138

KATHRYN AND PAUL CARSON
PO BOX 2103
KETCHUM ID 83340

H PHILLIP CASH
607 E 200 S
FAIRFIELD ID 83327

JUDY CASH
PO BOX 880
BELLEVUE ID 83313

CONRAD V AND MINNA H CASSER
PO BOX 3073
HAILEY ID 83333

KATJA AND MARK D CASSON
341 EASTRIDGE DR
HAILEY ID 83333

JAMES AND PATRICIA CASTLE
580 BURMAH RD
SHOSHONE ID 83352

CAT TRACK SELECT LLC
PO BOX 3308
HAILEY ID 83333

CATHERINE S DAWSON REVOCABLE TRUST
526 MALL DR
SCHAUMBURG IL 60173

CATHERINE SULLIVAN FAMILY TRUST
100 BEACH VIEW DR
VERO BEACH FL 32963

CATTLE-LACK RANCH HOMEOWNERS ASSN, JANICE CORSO-HARRIS 2004 REVOCABLE TRUST AND MICHAEL A HARRIS 2004 REVOCABLE TRUST
11 PURPLE SAGE LN
BELLEVUE ID 83313
JERRY L AND MURIEL J CAVEN AND ROYAL FORK RESTAURANT CORP
6874 FAIRVIEW AVE
BOISE ID 83704

C D AND MYRA JOAN SLUDER AND CENTRAL IDAHO CONSTRUCTION INC
PO BOX 868
BELLEVUE ID 83313

CG ELKHORN GOLF LLC
HENNESSY CO
BOX 2720
KETCHUM ID 83340

JOHN F CHAMBERS
1822 S 2050 E
GOODING ID 83330

CHANELY CREEK RANCH LLC
C/O ELIZABETH K GRAY
PO BOX 3175
KETCHUM ID 83340

CHARLES M LUTHER ESTATE
C/O NANCY BALLARD PR
PO BOX 207
GOODING ID 83330-0207

WENDY W CHASE
86 LA JARA RANCH TRAIL
GALISTEO NM 87540

CHERYL L WELSH REVOCABLE TRUST AND JOHN L WELSH REVOCABLE TRUST
PO BOX 4967
HAILEY ID 83333

BOB AND ROBERT L CHRISTENSEN
PO BOX 1177
HAILEY ID 83333

CHRISTYE NEGREPONTE TESTAMENTARY TRUST
CATHY ZACCARDI TRUSTEE
137 BASELINE RD
BELLEVUE ID 83313

CHURCH OF THE NAZARENE
6TH & IDAHO
GOODING ID 83330

JAMES N CIMINO AND NATURAL ENERGY RESOURCES INC
PO BOX 448
SUN VALLEY ID 83353

CITY OF BELLEVUE
PO BOX 825
BELLEVUE ID 83313-0449

CITY OF FAIRFIELD
PO BOX 336
FAIRFIELD ID 83327

CITY OF GOODING
308 5TH AVE W
GOODING ID 83330

CITY OF HAILEY
115 S MAIN ST #H
HAILEY ID 83333

CITY OF KETCHUM
PO BOX 2315
KETCHUM ID 83340

CITY OF RICHFIELD
210 N MAIN ST
PO BOX 97
RICHFIELD ID 83349

CITY OF SHOSHONE
PO BOX 208
SHOSHONE ID 83352

ANITA K AND TERRY L CLARK
PO BOX 308
CAREY ID 83320
COTTONWOOD CREEK HOMEOWNERS ASSN
C/O LAURIE SANDERS
56 MONTAGUE RD
WESTHAMPTON MA 01027

COUNTY OF CAMAS
PO BOX 430
FAIRFIELD ID 83327

COVE CREEK LTD PARTNERSHIP
PO BOX 2277
KETCHUM ID 83340

COYOTE BLUFF HOMEOWNERS ASSN INC AND RODNEY KEGLEY
PO BOX 2063
KETCHUM ID 83340

COLLEEN CRAIN AND JAMES E LIESENFELD
PO BOX 2456
KETCHUM ID 83340

DAWN AND FLOYD CRANDALL
RT 1 BOX 1000
FAIRFIELD ID 83327

GEORGE C CRANDLEMIRE
PO BOX 2780
SUN VALLEY ID 83353

ROY E CRAWFORD
165 PHILLIP RD
WOODSIDE CA 94062

MICHAEL C CREAMER
GIVENS PURSLEY LLP
277 N 6TH ST STE 200
PO BOX 2720
BOISE ID 83701-2720

CRICHTON CREEK LTD PARTNERSHIP AND OPAL AND WILLIAM M DAVIS
RT 1 BOX 1210
FAIRFIELD ID 83327

DEBORA AND PAUL CRIPPA
PO BOX 1453
SUN VALLEY ID 83353

ROGER E CRIST
PO BOX 2326
KETCHUM ID 83340

BARBARA AND JOHN CRISTOBAL
875 N 18 E ST
MOUNTAIN HOME ID 83647

JERRY L CROCE
30 FREEDOM LOOP
BELLEVUE ID 83313

DAVID L AND LINDA C CROPPER
400 N MAIN ST #2
HAILEY ID 83333-8416

CROY CANYON RANCH FOUNDATION INC
PO BOX 640
HAILEY ID 83333

CROY CREEK PROPERTIES LLC
PO BOX 1330
HAILEY ID 83333

ALFREDO CRUZ AND JUANA LAGUNAS
2210 CALIFORNIA ST #21
GOODING ID 83330

ANN C CUEVA
241 S 600 W
HEYBURN ID 83336

ANTHONY C AND JUDY L D ANGELO
PO BOX 3267
KETCHUM ID 83340
D L EVANS BANK
PO BOX 87
TWIN FALLS ID 83303

LEWIS M AND NITA F DAVENPORT
1798 S 2050 E
GOODING ID 83330

DAVINA & HOLLY LTD PARTNERSHIP
C/O WEBB LANDSCAPE INC
162 GLENDALE RD
BELLEVUE ID 83313

MICHELLE M DAVIS
930 ARROW WOOD CT
TWIN FALLS ID 83301

MONTIE S DAY
PO BOX 1045
SHOSHONE ID 83352

AARON M DE CHEVRIEUX AND STEPHANIE J EISENBARTH
PO BOX 615
BELLEVUE ID 83313

GARY A AND HELEN DE MOSS
PO BOX 61
BLISS ID 83314

PAUL A AND TANA L DEAN
40 FREEDOM LP
BELLEVUE ID 83313

DEAN R ROGERS INC
28 HILLSIDE RANCH RD
BELLEVUE ID 83313

DEER CREEK RANCH INC
ATTN JOHN FLYNN
PO BOX 3090
NEWPORT BEACH CA 92658

ROBERT DEL SIGNORE
PO BOX 2923
HAILEY ID 83333

ARLIN KELLY AND JANET LYNN DENNIS
RT 1 BOX 1278
FAIRFIELD ID 83327

DENZEL R & MARY S ROWLAND REVOCABLE LIVING TRUST
5195 E YACHT CLUB
EDEN UT 84310

DESERT ROSE RANCH INC
130 11TH AVE S
BUHL ID 83316

DFT PROPERTIES
RANNEY E DRAPER & MARK P DRAPER, TRUSTEES
567 SAN NICOLAS DR, SUITE 340
NEWPORT BEACH CA 92660

DIAMOND A LIVESTOCK INC AND FAULKNER BROTHERS HYDRO
1997 S 1875 E
GOODING ID 83330

DIAMOND K REVOCABLE LIVING TRUST AND LYNN BONTRAGER LLC
PO BOX 2092
KETCHUM ID 83340

CHRISTOPHER C PUCHNER AND DIBBLE FAMILY TRUST
PO BOX 74848
FAIRBANKS AK 99707-4848

DOLORES PRITCHARD AND RICHARD N DICK
C/O JAMES B FLEIG
PO BOX 869
KETCHUM ID 83340-0869

ANDREW DIGES
PO BOX 834
BELLEVUE ID 83313
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GREG AND LEE ANN FERRIS  
13 W CARBONATE  
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DELORES L AND JOHN B FERY AND PRISCILLA B WOODS  
18433 US HWY 20  
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FIELDS LAND CO  
RT 1 BOX 2085  
FAIRFIELD ID 83327  

ARLENE AND MILTON FIFE  
PO BOX 322  
HAILEY ID 83333  

JAMES K AND SANDRA D FIGGE  
PO BOX 4995  
KETCHUM ID 83340  

FIGGE REALTY LLC  
PO BOX 4365  
KETCHUM ID 83340  

FIR GROVE LTD PARTNERSHIP  
C/O SHARRON N PRESLEY  
6688 EAST MONTGOMERY RD  
KING HILL ID 83633  

FIRST AMENDED & RESTATED HOBSON REVOCABLE TRUST  
110 RED CLOUD WAY  
HAILEY ID 83333  

FIRST BANK OF IDAHO  
PO BOX 9000  
KETCHUM ID 83340  

FIRST FEDERAL SAVINGS BANK  
383 SHOSHONE ST N  
TWIN FALLS ID 83303  

FISH CREEK RESERVOIR CO INC  
PO BOX 282  
CAREY ID 83320  

FISHER & ASSOC  
6640 HWY 200 E  
MISSOULA MT 59802  

TIMOTHY AND TRACY FLAHERTY  
165 GOLDEN EAGLE DR  
HAILEY ID 83333  

JACK W FLAMMER JR  
PO BOX 3923  
HAILEY ID 83333  

CHRIS AND JACKIE FLANIGAN  
HC 64 BOX 8028  
KETCHUM ID 83340  

JAYNE D MURREL REVOCABLE TRUST AND MICHAEL FLINN  
c/o THE MURREL COMPANY  
2439 W COAST HWY STE 200  
NEWPORT BEACH CA 92663  

LEA FLOCCHINI MORGAN AND MARK MORGAN  
PO BOX 1191  
HAILEY ID 83333  

DIANA AND JOHN D FLOOD  
QUEENS CROWN RANCH  
19249 HWY 20  
PICABO ID 83348  

MARY ALICE FLORENCE AND OTTO FLORENCE JR  
143 9TH AVE E  
TWIN FALLS ID 83301  

PATRICK AND WENDY FLORENCE  
PO BOX EE  
TWIN FALLS ID 83303
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<td>1956 E 1550 S, GOODING ID 83330</td>
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<td>837 LAUREL AVE, POMONA CA 91767</td>
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<td>ROBERT EARL FOSNOT</td>
<td>PO BOX 290, BELLEVUE ID 83313</td>
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<td>17833 U S HWY 20, BELLEVUE ID 83313</td>
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<td>ROBERT G FRIEDMAN</td>
<td>215 DENSLOW AVE, LOS ANGELES CA 90049</td>
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<td>JOHN I FROSTENSON</td>
<td>RT 1 BOX 1020, FAIRFIELD ID 83327</td>
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<td>FROSTENSON REVOCABLE TRUST</td>
<td>59649 OKANAGAN LN, BEND OR 97702</td>
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<td>PO BOX 4508, KETCHUM ID 83340</td>
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GRACIES DINER LLC
PO BOX 6570
KETCHUM ID 83340

ELIZABETH K GRAY
C/O JAMES P SPECK ESQ
HOUGE SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

STELLA GRAY
PO BOX 906
SUN VALLEY ID 83353

LARRY G AND LUANNE GREEN
101 N MAIN ST
HAILEY ID 83333

GREENHORN OWNERS ASSN
C/O JAMES P SPECK ATTY
PO BOX 987
KETCHUM ID 83340

GREENHORN OWNERS ASSN INC
PO BOX 3534
KETCHUM ID 83340

GREGORY R BLOOMFIELD REVOCABLE TRUST
PO BOX 757
HAILEY ID 83333

GREGORY RANCH LLC
C/O MILES STANISLAW
PO BOX 5749
KETCHUM ID 83340

GRiffin RANCH HOA, GRITFFIN RANCH P U D SUBDIVISION HOA INC
AND STEVEN D HOLZMAN TRUST DTD
C/O JAMES P SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

JUDITH P GRIGSBY
PO BOX 254
BELLEVUE ID 83313

ROBERT B AND SARAH L GRILL
3359 WILLOW WAY
TWIN FALLS ID 83301

COREY C AND MINA GRISWOLD
10 OLD SAGE TRAIL
HAILEY ID 83333

SAMUEL M GROSSMAN
1703 W BETHANY HOME RD
PHOENIX AZ 85015

GROVE CREEK ASSN
C/O WILLIAM SWANEY
PO BOX 2713
KETCHUM ID 83340

GULCH TRUST
HOWARD TROTTE TRUSTEE
PO BOX 2908
KIRKLAND WA 98083-2908

MATTHEW M AND PAUL M GUYRE
332 GLENDALE RD
BELLEVUE ID 83313

VERONICA S GUYRE
PO BOX 141
LYME NH 03768

GWinin RICE RANCH INC
PO BOX 131
HILL CITY ID 83337

LESLIE L AND WANDA MAE HAAS
17402 S IBEX AVE
ARTESIA CA 90701

CRAIG S HADDEN
PO BOX 649
SHOSHONE ID 83352
DOUGLAS HAYES HOLLENBECK
PO BOX 2596
SUN VALLEY ID 83353

CAROL D HOLMAN AND EUGENE HOLMAN JR
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STEVEN D HOLZMAN
1161 VIRGINIA RD
SAN MARINO CA 91108

HONSINGER LAW PLLC
C/O CHARLES L HONSINGER
PO BOX 517
BOISE ID 83701

LESLIE AND MAURICE HORNOCKER
PO BOX 929
BELLEVUE ID 83313

RUPERT HOUSE
C/O TONY HOUSE
8119 N LEHMAN RD
SPOKANE WA 99217

HOWARD P TAEKMAN MD INC
JOHN MUIR MEDICAL CENTER TRAUMA OFFICE
1601 YGNACIO VALLEY RD
WALNUT CREEK CA 97598

JEFFREY C HUBER
5209 TURRET WAY
BOISE ID 83703

KAYSI SHARON AND RODNEY FRED HUBSMITH
PO BOX 65
RICHFIELD ID 83349

HULEN MEADOWS WATER CO
PO BOX 236
KETCHUM ID 83340-0236

DAVID AND NICOLE HULTS
1572 E 1700 S
GOODING ID 83330

WILLIAM B HURD
1323 S 1700 E
GOODING ID 83330

ROBERT G BARBARA A HUSOME
1794 E 1800 S
GOODING ID 83303-5094

HYNDMAN CREEK LLC
1290 AVENUE OF THE AMERICAS
NEW YORK NY 10104

IDAHO FOUNDATION FOR PARKS & LANDS INC
5657 WARM SPRINGS AVE
BOISE ID 83716-8700

IDAHO FOUNDATION FOR PARKS & LANDS INC
C/O CHAS MCDEVITT ATTY
420 W BANNOCK ST
PO BOX 2564
POCATELLO ID 83702

IDAHO POWER CO
C/O JON BOWLING
PO BOX 70
BOISE ID 83707

IDAHO RANCH LLC
2296 CHANNEL RD
NEWPORT BEACH CA 92661

MRS C IEST
2313 TERRACE DR
CALDWELL ID 83605

TINA IEST
C/O HELEN C TIDWELL
5700 S LINDER RD
MERIDIAN ID 83642
LAKE CREEK MEADOWS HOMEOWNERS ASSN INC
PO BOX 3144
KETCHUM ID 83340

LANE RANCH HOMEOWNERS ASSN INC
C/O SUN COUNTRY MGMT
PO BOX 1675
SUN VALLEY ID 83353

LAURENE POWELL JOBS TRUST UAD MARCH 2 2009
C/O HOWSON & SIMON LLP
101 YGANCIO VALLEY RD
WALNUT CREEK CA 94596

LAVA LAKE LAND & LIVESTOCK LLC
PO BOX 2249
HAILEY ID 83333

EDWARD A AND JULIE C LAWSON
105 LOWER BROADFORD RD
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LAWSOON LASKI CLARK & POGUE PLLC
675 SUN VALLEY RD STE A
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LAZY TRIPLE J RANCH GENERAL PARTNERSHIP
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TOLEDO OH 43615

LAKESIDE INDUSTRIES INC
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RALPH R LAPHAM
PO BOX 554
BELLEVUE ID 83313

ARDEN LAURITZEN
RT 1
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2007 E 2000 S
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HARRY F LE MOYNE
1418 BLUE LAKES BLVD N
TWIN FALLS ID 83301

LEGACY RESIDENTIAL LLC
C/O TOM ELLISON
400 112TH AVE N.E., STE 230
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JOE AND LINDA LEGUINECHE
2099 E 1400 S
GOODING ID 83330

LEROY C LEWIS
3774 S 5TH W
IDAHO FALLS ID 83404
GREG LIERMAN  
1846 E 1550 S  
GOODING ID 83330

LIESKOVAN FAMILY TRUST  
651 W LEMON AVE  
ARCADIA CA 91007

LILY REEVES, LILY REEVES TTE OF THE SUN VALLEY TRUST  
U/D/T 1/8/99 AND SUN VALLEY TRUST  
C/O SHANNON SADLER  
PO BOX 5623  
BEVERLY HILLS CA 90209-5623

LIMELIGHT CONDOMINIUMS INC  
PO BOX 1312  
KETCHUM ID 83340

LINCOLN COUNTY CEMETARY MAINT DISTRICT  
BOX 566  
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FRANCIS LIVINGSTON AND SUE ROTHER  
110 ELDERBERRY LN  
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KATHLYN A AND ROBERT B LOCKE  
2126 S 1500 E  
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SUZANNE JEAN LOCKE  
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BELLEVUE ID 83313

LOCKWOOD LAND & LIVESTOCK  
781 W COUNTY LINE RD  
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JANE K LODATO  
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DOMINGO LORENZO  
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CARTER V LUTHER
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1819 E 1550 S
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ALEXANDER MACDONALD III AND JESSICA A MACDONALD
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FELAN AND KIMBERLY JANINE MACDONALD
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JEROME D MACK, PETER M THOMAS TRUST AND RIVER GROVE FARM
C/O E PARRY THOMAS
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MACON MORGAL TRUST
LISA FERGUSON TRUSTEE
15260 VENTURA BLVD STE 1700
SHERMAN OAKS CA 91403

ARLENE M AND JOHN A MADDEN
PO BOX 95
FAIRFIELD ID 83327

PETER AND VICTORIA MADSEN
PO BOX 334
HAILEY ID 83333

MAGIC RESERVOIR HYDROELECTRIC INC
C/O JAY R JACKSON PRES
2399 S ORCHARD ST #201
BOISE ID 83705

MAGIC VALLEY GROWERS LTD
PO BOX 850
WENDELL ID 83355

MAGIC WEST SIDE WATER USERS INC
C/O WARREN MERRILL
1016 4TH AVE DR
JEROME ID 83338

JOHN B AND WENDY I MAJOR
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MOUNT CARROLL IL 61053

JOHN A AND THAIS W MAJORS
365 GRACIE RD
NEVADA CITY CA 95959

CATHERINE B MANN
PO BOX 3421
HAILEY ID 83333

CHRISTOPHER MANNINO
5206 VALLEY VIEW RD
RANCHO PALOS VERDES CA 90275

DANIEL TODD MANOOGIAN
20 FOX LN
WINNETKA IL 60093

MARATHON PARTNERS LLC
PO BOX 3118
KETCHUM ID 83340
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<td>MATTHEW MARKS</td>
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<td>213 BAY HORSE ROAD</td>
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<td>LINDA L MILLER</td>
<td>RT 1 BOX 1130</td>
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<tr>
<td>PATRICIA G MILLINGTON</td>
<td>PO BOX 707</td>
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<td>ROBERT L MITCHELL</td>
<td>10620 BERKSHIRE</td>
<td>LOS ALTOS</td>
<td>CA</td>
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<td>MARY ANN MIX</td>
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<td>MOFFATT THOMAS BARRETT ROCK &amp; FIELD CHTD</td>
<td>C/O SCOTT L CAMPBELL</td>
<td>BOISE</td>
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<td>83701-0829</td>
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<td>MOFFATT THOMAS BARRETT ROCK &amp; FIELDS CHTD</td>
<td>DYLAN B LAWRENCE</td>
<td>PO BOX 829</td>
<td>BOISE</td>
<td>83701-0829</td>
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<tr>
<td>ELIZABETH A, STEVEN A AND WENDY A MOHR</td>
<td>503 W 470 N</td>
<td>SHOSHONE</td>
<td>ID</td>
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<tr>
<td>ELIZABETH A AND STEVEN MOHR</td>
<td>HCR 60 BOX 306</td>
<td>BLISS</td>
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<tr>
<td>WILLIAM L MOLYNEUX</td>
<td>027 DURFEE RD</td>
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<td>JOHN I AND KRISTY MOLYNEUX</td>
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<td>DEMI MOORE</td>
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</table>
AUDREY, HOWARD L, JEREMY, MEKENZIE AND RHONDA K
MORRIS
1101 E 2900 S
HAGERMAN ID 83332

MOSHER TRUST
C/O RUTHIS T MOSHER
1232 CORSICA DR
PACIFIC PALISADES CA 90272

MOUNTAIN VALLEY RANCH
PO BOX 405
FAIRFIELD ID 83327

MOUNTAIN WEST BANK
PO BOX 1059
COEUR D ALENE ID 83816

MPD HOLDING LLC
2935 W 2050 S
ABERDEEN ID 83210

MURFUS PARTNERS LLC
3111 BEL AIR DR
LAS VEGAS NV 89109

WILLIAM H MURPHY
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MURPHY FAMILY REVOCABLE TRUST
CYNTHIA B MURPHY TRUSTEE
PO BOX 3818
KETCHEM ID 83340

MURPHY FAMILY REVOCABLE TRUST
KINGSLEY H MURPHY III TRUSTEE
PO BOX 3818
KETCHEM ID 83340

MV PROPERTY LLC
PO BOX 5
KETCHEM ID 83340

JUDITH E AND KEITH MYERS
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BELLEVUE ID 83313

JOAN AND TIMOTHY MYLNAR
22 BUTTERCUP RD
HAILEY ID 83333

FRANK AND JANET NACHTMAN
PO BOX 966
BELLEVUE ID 83313

KAYE AND MICHAEL NAEVE
1910 MONCLAIR DR
BOISE ID 83702

NATURAL ENERGY RESOURCES INC AND THOMAS M O GARA
FAMILY TRUST
C/O BRIAN BARSOTTI
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CHARLES E NEWELL
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C/O JOSEPH D WEINSTEIN AND
2600 CENTURY SQ 1901 4TH AVE
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NICK VANOFF PRESENTS INC
C/O NICK VANOFF JR
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DOUGLAS H AND LISA A NIEDRICH
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THOMAS NIEMISTE
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HAILEY ID 83333

NIGHT CRAWLER WELL SYSTEM
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KETCHUM ID 83340

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327 BASELINE RD
BELLEVUE ID 83313

KATHY NOBLE
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HAILEY ID 83333

MARK NOREM
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BIG TIMBER MT 59011

NORTH SIDE CANAL CO LTD
921 N LINCOLN AVE
JEROME ID 83338

NORTH RIDGE II SUBDIVISION OWNERS INC AND
STARWEATHER SUBD PROPERTY OWNERS ASSN INC
PO BOX 254
KETCHUM ID 83340

NORTH RIDGE V SUBDIVISION OWNERS ASSN INC
PO BOX 463
HAILEY ID 83333

NORTH RIDGE VI SUBDIVISION OWNERS ASSN INC
PO BOX 2192
HAILEY ID 83333

NORTHWEST FARM CREDIT SERVICES FLCA
PO BOX 5059
TWIN FALLS ID 83303-5059

BRUCE NORVELL AND PATRICIA SPRAGUE
PO BOX 332
HAILEY ID 83333

NOTCH BUTTE HYDRO CO INC
C/O ENEL NORTH AMERICAN INC
ONE TECH DR STE 220
ANDOVER MA 01810

DENNIS P O BRIEN
PO BOX 1263
KETCHUM ID 83340

JANET B O CROWLEY
PO BOX 705
PICABO ID 83348
VICTORIA O GARA  
114 PRICE LN 
BELLEVUE ID 83313

THOMAS O GARA  
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HAILEY ID 83333

RICARD RIGGS OHRSTROM  
PO BOX 1213 
SUN VALLEY ID 83353

MEL OKEON  
PO BOX 169 
HANFORD CA 93232-0169

OLD CUTTERS INC  
SUN VALLEY LONG TERM HOLDING LLC 
PO BOX 4944 
KETCHUM ID 83340

OLIVER FAMILY TRUST  
C/O OLIVER MCMILLAN 
733 8TH AVE 
SAN DIEGO CA 92101

CHARLES J AND DORIS J OLSON  
8813 OLD HWY 30 
MOUNTAIN HOME ID 83647

CLARE M AND KAREN Y OLSON  
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MICHAEL PETE ONEIDA  
PO BOX 845 
SHOSHONE ID 83352

JAMES M OOSTING  
PO BOX 386 
BELLEVUE ID 83313

OPPIO LAND & LIVESTOCK LLC  
PO BOX 381 
GOODING ID 83330

DAVID G AND LINDSAY W ORMSBY  
C/O JAMES L KENNEDY JR 
PO BOX 5901 
KETCHUM ID 83340

NINA MOLYNEUX AND WAYNE D ORVIK  
18525 HIGHWAY 20 
BELLEVUE ID 83313

RODERICK W OVERFIELD  
PO BOX 850 
HAILEY ID 83333

JEAN AND TONY PALACIO  
799 W 720 N 
SHOSHONE ID 83352

WILLIAM M PALACIO  
PO BOX 281 
GOODING ID 83330

STEVE PALKEN  
PO BOX 1643 
SUN VALLEY ID 83353

MARK PALMER  
PO BOX 965 
BELLEVUE ID 83313

ELMER M AND RUTH ELLEN PARKE  
1975 E 1775 S 
GOODING ID 83330

JACK R AND SHARON G PARKER  
PO BOX 418 
BELLEVUE ID 83313
PIioneer Moon LLC
P.O. Box 2881
Ketchum, ID 83340

Pioneer Well System
C/O Julie Dahlgren
P.O. Box 4402
Ketchum, ID 83340

Larry B and Marilyn R Pottt
25 Lower Broadford Rd
Bellevue, ID 83313

Point of Rocks Ranch LLC
P.O. Box 9320
Ketchum, ID 83340

James P. Speck and Ponderers LLC
P.O. Box 987
Ketchum, ID 83340

Scott C. Porter
P.O. Box 99
Hailey, ID 83333

Porter Family Living Trust
P.O. Box 2530
Ketchum, ID 83340

Max L. Potter
P.O. Box 993
Ketchum, ID 83340

Poverty Flats Properties LLC
C/O Bill Lansing
93962 Bridge View Ln
North Bend, OR 97459

Prairie Sun Ranch Owners Assn Inc
P.O. Box 1151
Bellevue, ID 83313

Bruce B and Sherry L. Price
P.O. Box 326
Carey, ID 83320

Prospector Homeowner Assn
P.O. Box 3299
Ketchum, ID 83340

Prudential Federal Savings
Contract Administration
P.O. Box 15500
Salt Lake City, UT 84115

Philip F. Puchner
P.O. Box 866
Bellevue, ID 83313

Anne W and Robert W Pulleen
33 Lana Ln
Houston, TX 77027

Wes and Wesley Purdy
P.O. Box 838
Bellevue, ID 83313

Thomas A. Pyle
P.O. Box 94
Ketchum, ID 83340

Bennett W and Gail D Quellhorst
1786 E 1800 S
Gooding, ID 83330

Quigley Green Owner LLC
C/O Greenfield Partners
Attn: Barry P. Marcus
50 North Water St
South Norwalk, CT 06854

Calvin S and Dana L. Quinney
11850 Hwy 55
Boise, ID 83703
RABO AGRIFINANCE INC
12443 OLIVE BLVD STE 50
ST LOUIS MO 63141

SUSAN RAFFERTY
3717 EAGLE AVE
KEY WEST FL 33040

RALPH W & KANDI L GIRTON 1999 REVOCABLE TRUST
PO BOX 39
BELLEVUE ID 83313

ERIC N AND JOAN T RASOR
PO BOX 1573
HAILEY ID 83333

KATHLEEN L AND WILLIAM R RATLIFFE
21165 SW KILLARNEY CT
TUALATIN OR 97062

HARRIETT B AND VERNON F RAVENSCROFT
1331 SHOE STRING RD
BLISS ID 83314-5119

LORI L REBISCHKE
6652 S HOGG RD
MARSING ID 83639

RED CLIFFS HOMEOWNERS ASSN
PO BOX 680
KETCHUM ID 83340

RED DEVIL MOUNTAIN HOMEOWNERS ASSN
C/O CLAY S HOLDEN
PO BOX 4626
HAILEY ID 83333

RED DEVIL MOUNTAIN HOMEOWNERS ASSN
C/O MIRIAM F HOLDEN
PO BOX 4626
SUN VALLEY ID 83353

REDCLIFF PARTNERS LP
A CALIFORNIA LTD PARTNERSHIP
567 SAN NICOLAS DR STE 340
NEWPORT BEACH CA 92660

REDCIFF PARTNERS LP
C/O CLAY S HOLDEN
PO BOX 4626
HAILEY ID 83333

LINDA K REED AND WILLIAM K SAMPLE
PO BOX 1042
BELLEVUE ID 83313

DALE REEDY
RT 1 BOX 1250
FAIRFIELD ID 83327

JIM REEDY
RT 1 BOX 1255
FAIRFIELD ID 83327

F ALFREDO REGO
PO BOX 2358
SUN VALLEY ID 83353

REMBER PROPERTIES LLC
PO BOX 195
STANLEY ID 83278

DAVID W AND DORINDA J RENDAHL
PO BOX 3104
HAILEY ID 83333

RENAGEADE/MCGLOCHLIN LLC
C/O DIANE J RINKER
PO BOX 7250
NEWPORT BEACH CA 92658
ROBBINS TRUST & O CONNOR TRUST  
PO BOX 48  
BELLEVUE ID 83313

ROBERT L BAKER REVOCABLE TRUST  
ROBERT L BAKER TRUSTEE  
PO BOX 1830  
SUN VALLEY ID 83353

THOMAS M ROBERTSON  
156 2ND AVE W  
PO BOX 525  
TWIN FALLS ID 83303-0525

BREON J ROBERTSON  
PO BOX 352  
MC ALLISTER MT 59740

EVAN ROBERTSON  
ROSHOLT ROBERTSON & TUCKER  
PO BOX 1906  
TWIN FALLS ID 83303-1906

ROBERTSON & SLETTE PLLC  
PO BOX 1906  
TWIN FALLS ID 83303

ROCK CREEK LLC  
C/O HARRY S RINKER MANAGER  
PO BOX 7250  
NEWPORT BEACH CA 92658

BENJAMIN D AND TENER W ROGERS  
PO BOX 1996  
HAILEY ID 83333

ROBERT ROHE  
PO BOX 2288  
KETCHUM ID 83340-2288

KENNETH O AND MARY D ROSE  
612 N RAIL ST WEST  
SHOSHONE ID 83352

KATHLEEN B ROSEKRANS  
17 QUIGLEY RD  
HAILEY ID 83333

MARION R AND ROBERT M ROSENTHAL  
1902 ASSOCIATION DR  
RENTON VA 20191

JOHN A ROSHALT  
142 THIRD AVE N  
TWIN FALLS ID 83301

JOHN A ROSHOLT AND TRAVIS L THOMPSON  
BARKER ROSHOLT & SIMPSON LLP  
195 RIVER VISTA PLACE, STE 204  
TWIN FALLS ID 83301-3029

ROTH INVESTMENTS LLC  
539 S  800 E  
JEROME ID 83338

M SCHWEITZER AND MICHAL E J ROTHSCILD  
PO BOX 548  
BELLEVUE ID 83313

BRET L AND TERRY D RUBY  
1004 4TH AVE W  
GOODING ID 83330

MAYME M RUFFING  
336 5TH AVE E  
TWIN FALLS ID 83301

MAYME M RUFFING  
C/O RICHARD H RUFFING  
9843 FIR TREE RD  
DU QUOIN IL 62832

AMY AND JASON RUNSER  
PO BOX 118  
WENDELL ID 83355
DOROTHY AND GORDON SCHMIDT  
630 E HWY 20  
FAIRFIELD ID 83327  
MITCHELL B SCHMIDT  
PO BOX 524  
GOODING ID 83330

ELEANOR AND WALTER F SCHODDE  
3 RIVER RUN ESTATES  
BURLEY ID 83318  
LAWRENCE SCHOEN  
18351 US HWY 20  
BELLEVUE ID 83313

ARNOLD SCHWARZENEGGER  
C/O OAK PRODUCTIONS  
3110 MAIN ST STE 300  
SANTA MONICA CA 90405  
SCI PROPERTIES LLC  
C/O FREMONT PROPERTIES INC  
ATTN J MARCUS BOMAN  
199 FREMONT ST STE 2400  
SAN FRANCISCO CA 94105

C L AND ELLEN M SCOFIELD  
PO BOX 302  
BELLEVUE ID 83313  
BETTY SCROGGINS  
1942 E 1550 S  
GOODING ID 83330

SDRTR LLC  
C/O ANTHONY ROBBINS  
930 S ANDREASEN DR STE H  
ESCONDIDO CA 92029  
SELBY CROSSING LLC AND SHIRLEY M AND WILLIAM A SIMON  
PO BOX 364  
FAIRFIELD ID 83327

BERTHA SEVERE  
PO BOX 94  
GOODING ID 83330  
CARLITA F SEVERE-MC IVER  
330 BAYHORSE RD  
BELLEVUE ID 83313

LORI AND PETER ZACK SEWELL  
PO BOX 3175  
HAILEY ID 83333  
SUZANNE S AND WILLIAM G SHAW  
327 STOCKBRIDGE  
ATHERTON CA 94027

NANCY AND WILLIAM L SHERBINE AND UPPER WOOD RIVER WATER USERS ASSN INC  
153 BASELINE RD  
BELLEVUE ID 83313  
THERESA L, WILLIAM T AND WILLIAM T "ROCKY" SHERBINE  
200 BASELINE RD  
BELLEVUE ID 83313

WILLIAM L SHERBINE  
C/O ROCKY SHERBINE  
200 BASELINE RD  
BELLEVUE ID 83313  
SHERI PATTERSON INC  
2206 MAYBERRY LN  
FILER ID 83328

DAVID SHERIDAN  
PO BOX 20  
KETCHUM ID 83340  
GARY SHILLING  
PO BOX 256  
FAIRFIELD ID 83327
ALVIN V SHOEMAKER
DBA SHOEMAKER PROPERTIES
C/O BOB MARCROFT
PO BOX 1092
HALEY ID 83333

SHOROCK HYDRO INC
JOHN J STRAUBHAR
PO BOX 1787
TWIN FALLS ID 83301-1787

SILVER CREEK FARMS HOMEOWNERS ASSN INC
C/O H ALLEN LURAY
94 TOWNESEND GULCH
BELLEVUE ID 83313-5008

ALVIN V AND SALLY P SHOEMAKER
PO BOX 550
BELLEVUE ID 83313

COLLEEN AND RONALD LEO SIEVERS
PO BOX 711
WENDELL ID 83355

SILVER CREEK HUNTING & FISHING CLUB LLC
4931 BONITA BAY BLVD #1601
BONITA SPRINGS FL 34134

SILVER SAGE OWNERS ASSN INC
160 4TH ST W STE 4
PO BOX 1702
KETCHUM ID 83340-1702

EDWARD SIMON
500 S MAIN STE 205
PO BOX 540
KETCHUM ID 83340

SHARI L AND WILLIAM R SIMON AND SIMON FARMS INC
PO BOX 403
FAIRFIELD ID 83327

DAVID A SIMON
PO BOX 545
FAIRFIELD ID 83327

SIMON FAMILY TRUST
ELIZABETH BLISS SIMON TRUSTEE
PO BOX 1837
SUN VALLEY ID 83353

EDWARD WHEELER AND ELIZABETH SIMPSON
PO BOX 3508
HALEY ID 83333

SINCLAIR OIL CORP
DBA SUN VALLEY COMPANY
PO BOX 10
SUN VALLEY ID 83353

CHRISTOPHER AND DANA SINGLETON
PO BOX 2803
SUN VALLEY ID 83353

VELMA I SJURSON
281 CASWELL AVE W
TWIN FALLS ID 83301

FRANCES AND LEON SKELTON
2958 THAYER BRIDGE CIRCLE
IDAHO FALLS ID 83402

SLEIGH BELLS LLC
31 SIMMONS DR
DUXBURY MA 02332

GARY D AND KATHLEEN H SLETTE
3381 WILLOW WAY
TWIN FALLS ID 83301

GARY D SLETTE
ROBERTSON AND SLETTE PLLC
PO BOX 1906
TWIN FALLS ID 83303-1906

JEANIE SLIGAR
3550 E 4000 N
KIMBERLY ID 83341
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<td>ALBERT AND TRACY STAMPKE</td>
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CLAYTON L STEWART
PO BOX 44
SUN VALLEY ID 83353

MARIE AND ROBERT STILO
420 GANNETT RD
BELLEVUE ID 83313

CLARENCE D AND TONA B STILWILL
PO BOX 1281
FAIRFIELD ID 83327

STINSON TRUST
C/O RALF STINSON
9 DRESDEN BAY
ALAMEDA CA 95402

STONEGATE HOMEOWNERS ASSN INC
PO BOX 2559
SUN VALLEY ID 83353

JOE STOREY
1554 S 2000 E
GOODING ID 83330

EVELYN G STRICKLAND
460 5TH AVE E
WENDELL ID 83355

STROM RANCHES INC
PO BOX 137
HILL CITY ID 83337-0137

ROBERT J STRUTHERS
762 ROBERT ST
PICABO RT
BELLEVUE ID 83313

GAYLE M AND WILLIAM K SULLIVAN
PO BOX 1068
HAILEY ID 83333

SUN VALLEY CO A WYOMING CORP
PO BOX 10
SUN VALLEY ID 83353

SUN VALLEY LAND & MINERALS INC
PO BOX 1959
SUN VALLEY ID 83353

SUN VALLEY TRAILER PARKS INC
C/O SANDY NELSON
BOX 236
BELLEVUE ID 83313

SUN VALLEY WATER & SEWER DISTRICT
PO BOX 2410
SUN VALLEY ID 83353-2410

SUNBEAM HOLDING TRUST
PO BOX 1104
KETCHUM ID 83340

JAMES R AND JANET A SUPER
PO BOX 598
BELLEVUE ID 83313

KRISTI A AND ROSS J SUTTON
PO BOX 3168
HAILEY ID 83333

JAMES A SUTTON II
PO BOX 2577
HAILEY ID 83333-2577

SWEET POTATO RANCH LLC
C/O JOE CLARK, AVIATION PARTNERS
7299 PERIMETER RD S
SEATTLE WA 98108

MARK J SWENKE
PO BOX 3630
HAILEY ID 83333
<table>
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<td>THE VALLEY CLUB INC</td>
<td>PO BOX 252 SUN VALLEY ID 83353</td>
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<td>THE VILLAGE GREEN AT THE VALLEY CLUB HOA INC</td>
<td>ATTN: KATHY PRUETT BLUE SKY ESTATE MANAGEMENT PO BOX 2607 SUN VALLEY ID 83353</td>
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<td>C ROD THORNTON</td>
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<td>SAN RAFAEL</td>
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<td>BRUCE S AND LESLIE A TIDWELL</td>
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<td>BARBARA L AND ERNEST W TOWNSEND</td>
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<td>TRUSTEES OF THE RIVKIN/TOLSON 2000 TRUST</td>
<td>CHARLES H RIVKIN &amp; SUSAN TOLSON</td>
<td>SANTA MONICA</td>
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<td>BRUCE AND KAREN TRUXAL</td>
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<td>SHEILA K TUCKER</td>
<td>5131 N RIVERFRONT DR</td>
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<td>JAMES C TUCKER</td>
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<td>ELWYN A AND RITA A TUPPER</td>
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JERRY TURCO
525 RIVERSIDE AVE
LYNDHURST NJ 07071

ROGER D AND SALLY D TURNER
C/O CRAVATH SWAINE & MOORE
825 8TH AVE
NEW YORK NY 10019-7475

CHRISTOPHER TUTTLE
9391 W PREECE
BOISE ID 83704

TWIN LAKES RESERVOIR & IRR CO LTD
C/O JIM REEDY
RT 1 BOX 1255
FAIRFIELD ID 83327

JOHN T AND LENNIE L UHRIG
PO BOX 732
SHOSHONE ID 83352

JANE AND ROBERT ULRICH
1050 AVONDALE
CLEVELAND OH 44121

UNITED STATES OF AMERICA ACTING THROUGH
BUREAU OF RECLAMATION
REGIONAL DIRECTOR PN CODE-3100
1150 N CURTIS RD STE 100
BOISE ID 83706-1234

UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657

UNITED STATES OF AMERICA ACTING THROUGH
USDA FOREST SERVICE
550 W FORT ST MSC 033
BOISE ID 83724

UNITED STATES OF AMERICA ACTING THROUGH USDA
FOREST SERVICE
550 W FORT ST MSC 033
BOISE ID 83724

UNSER HAY CO LLC
PO BOX 2817
SUN VALLEY ID 83353

J RANDOLPH UPDYKE
PO BOX 3421
KETCHUM ID 83340

MICHAEL URRUTIA
PO BOX 218
SHOSHONE ID 83352

US BIRDS LLC
400 BEACH DR NE #2003
ST PETERSBURG FL 33701

USDI- BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657

VALLEY CLUB OWNERS ASSN INC
C/O PRESIDENT
PO BOX 6733
KETCHUM ID 83340

LOY L VANSKIKE
PO BOX 183
FAIRFIELD ID 83327

BETTY AND ROBERT E VEEH
3268 HIGHLAWN DR
TWIN FALLS ID 83301

VERNOY IRREVOCABLE TRUST
JESSE D RODMAN TRUSTEE
C/O MCGAVICK GRAVES PS
1102 BROADWAY STE 500
TACOMA WA 98402

DAVID B AND VICKY VERST
PO BOX 3703
HAILEY ID 83333
VILLAGE CONDOMINIUMS GREYHAWK
PO BOX 2192
SUN VALLEY ID 83353

VORTEX INDUSTRIES
PO BOX 1147
SHOSHONE ID 83352

VPS MANARD LLC
C/O VICTOR M SMITH
533 SOSCOL AVE STE 100
NAPA CA 94559

KATHI AND ROBERT WAGNER
PO BOX 182
BELLEVUE ID 83313

CINDRA L PALMER AND MICHAEL E WALBERT
PO BOX 219
HAILEY ID 83333

WALBORN RENTALS LLC
C/O JACK WALBORN
PO BOX 268
MOUNTAIN HOME ID 83147

ANDREW J WALDERA
MOFFATT THOMAS BARRETT ROCK & FIELDS CHTD
PO BOX 829
BOISE ID 83701

MARGARET AND WILLIAM H WALKER
7056 W ROCKING Y LN
GLENNS FERRY ID 83623-5029

JIM J WALKER
DBA WALKER SAND & GRAVEL
PO BOX 400
BELLEVUE ID 83313

BENJAMIN A AND MARILYN A WALKER
PO BOX 499
BELLEVUE ID 83313

WALKER SAND & GRAVEL LTD CO
C/O BRAD WALKER
PO BOX 400
BELLEVUE ID 83313

DIANA L WHITING AND DOUGLAS C WALTON
PO BOX 1093
KETCHUM ID 83340

ANDREA S WARD
4200 SW TORR LN
PORTLAND OR 97221

LAWRENCE WARNER
155 TOWNSEND GULCH RD
BELLEVUE ID 83313

BROCK WEAVER
4380 N 1400 E
BUHL ID 83316

PATRICIA A WEAVER
PO BOX 1413
HAILEY ID 83333

JAY L AND MARY JANE WEBB
1421 GARFIELD ST
BOISE ID 83706

DOUG WEBB AND WEBB LANDSCAPE INC
PO BOX 444
SUN VALLEY ID 83353

ANNETTE WEBER
350 S HAMILTON #802
MADISON WI 53703

JESSICA M AND VICTOR K WEBER
4380 SANTA FE DR
FALLON NV 89406