

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF THE PROPOSED)	
MODIFICATION OF WATER DISTRICT)	
NO. 140, OAKLEY VALLEY AREA, TO)	PRELIMINARY ORDER
EXCLUDE ALL EXISTING)	MODIFYING WATER DISTRICT
SUB-DISTRICTS.)	NO. 140 TO EXCLUDE
_____)	SUB-DISTRICTS AS INDEPENDENT
)	WATER DISTRICTS

COURSE OF PROCEEDINGS

The Director (“Director”) of the Idaho Department of Water Resources (“IDWR” or “Department”) is authorized to divide the state into water districts for the purpose of distributing water among appropriators under the laws of the State of Idaho. Idaho Code § 42-604 authorizes the Director to create, revise the boundaries of, or abolish a water district or combine two (2) or more water districts as required to properly administer the users of water resources. The authority to revise or expand the boundaries of water districts applies to those streams, or other water sources including ground water, for which the priorities of appropriation have been adjudicated by court decree. Idaho Code § 42-604 directs that before entering such an order the Department provide notice to each water user in the district describing the proposed action, providing the time and place of a hearing on the proposed action, and establishing a time period for submission of written comments.

On September 22, 2021, the Department provided *Notice of Proposed Action, Public Hearing, and Written Comment Period* (“Notice”) to the water users in Water District No. 140 (“WD 140”) in which it proposed to modify WD 140 to exclude the seven existing sub-districts from oversight by WD 140 and designate them as independent water districts within the boundaries of WD 140 (the “Proposed Action”). The Proposed Action would designate the existing sub-districts of WD 140 as independent water districts as follows:

- 45A, Basin Creek and tributaries;
- 45B, Birch Creek and tributaries;
- 45C, Goose Creek and tributaries;
- 45F, Marsh Creek and tributaries;
- 45K, Cottonwood Creek and tributaries;
- 45N, Dry Creek and tributaries; and
- 45O, Golden Valley (ground water in the Cottonwood Critical Ground Water Area).

As established in the *Notice*, the Department conducted a public hearing regarding the proposed modification of WD 140 on Wednesday, October 13, 2021, and accepted written comments until October 25, 2021. Peter Anderson was the presiding officer.

The following individuals provided testimony at the October 13 hearing:

- Nathan Erickson, IDWR, Technical Hydrologist
- Mike Cranney, WD 140 chairman
- Brett Gorringer, sub-district water user

The following documents were submitted at the hearing:

- Nathan Erickson PowerPoint presentation, with notes
- Written testimony of Michael Cranney dated October 13, 2012

The Department received the following written comment by the October 25, 2021, deadline:

- Letter from Don F. Pickett, dated October 8, 2021

The Department also takes official notice of the *Amended Final Order Creating Water District No. 140*, dated September 4, 2008, and the *Errata to Amended Final Order Creating Water District No. 140*, dated September 10, 2008.

Based upon the record in this matter, the Department finds, concludes, and orders as follows:

FINDINGS OF FACT

1. On September 4, 2008, the Director created Water District No. 140. *Amended Final Order Creating Water District No. 140* (the “*Amended Final Order*”).

2. In the *Amended Final Order* the Director considered whether the existing surface water districts in IDWR Administrative Basin 45 (“Basin 45”) should be converted to sub-districts within WD 140. At that time there were seven water districts located within the proposed Water District No 140 including: Water District No. 45A¹, Basin Creek and tributaries; Water District No. 45B, Birch Creek and tributaries; Water District No. 45C, Goose Creek and tributaries; Water District No. 45F, Marsh Creek and tributaries; Water District No. 45K, Cottonwood Creek and tributaries; Water District No. 45N, Dry Creek and tributaries; and Water District No. 45O, Golden Valley (ground water in the Cottonwood Critical Ground Water Area). All of these water districts were active except Water District No. 45N, which was inactive.. The Director concluded in the *Amended Final Order* that:

“8. In response to the hearing testimony and written comments, the Director concludes that during the irrigation season for the water rights in some of the existing water districts in Basin 45, the statutory requirements of Chapter 6, Title 42, Idaho Code, are mostly being met; while in other water districts in Basin 45, some or many of the statutory requirements are not being satisfied. For example, surface water diversions in some of the existing districts lack adequate measuring devices and controlling head gates, are not measured or recorded on a regular basis, or are not monitored or regulated during portions of the irrigation season. Additionally, some of the existing water districts do not maintain adequate measurement records, annual watermaster reports are not always complete or timely submitted, and some existing water districts have been periodically inactive or inactive for many years. None of the existing water districts enforce limitations of surface water rights outside of the irrigation season for the rights, and only one (1) of the existing water districts regulates water rights diverting from ground water.

¹ At the time of issuance of the *Final Amended Order* IDWR’s numbering convention for water districts was to hyphenate between the numeric and alpha characters. IDWR no longer hyphenates water district numbering and that convention will be followed in this Order, unless a direct quote used the former convention.

9. Given that: (1) water districts do not exist in large areas of Basin 45; (2) the administration of surface water rights in the existing water districts in Basin 45 is often inconsistent; (3) none of the existing water districts in Basin 45 administer surface water rights outside of the irrigation season for those rights or during the irrigation season when the surface water sources are not in regulation; and (4) only one of the existing water districts in Basin 45 regulates diversions from ground water; the Director concludes that there should be one water district created that encompasses all of the water rights within Basin 45, and that the existing surface water districts in Basin 45 should be designated as sub-districts, in order to provide consistent and effective administration of water rights from both surface water sources and ground water sources year-round throughout Basin 45.
10. Existing water districts in Basin 45, which now will be sub-districts within Water District No. 140, will each continue to elect their own watermasters, and adopt their own budgets for purposes of water distribution within their districts, including measurement reporting and regulation of water diversions. A sub-district that provides for the adequate distribution of water in accordance with Idaho law and guidance from the Director should not be subject to future assessments from Water District No. 140 for purposes of water distribution within that sub-district. However, each existing water district designated as a sub-district may be subject to future assessments for costs associated with oversight of that sub-district if the sub-district is not satisfactorily distributing water to the water rights for which it has immediate responsibility. Oversight costs relative to existing water districts that are designated as sub-districts of Water District No. 140 may include, but may not be limited to, regulation and enforcement of water rights, measurement and reporting of diversions, and monitoring and implementation of mitigation plans as may be necessary for junior ground water rights that are determined to be causing injury to senior water rights.”

Id., at 9 - 10

3. Based on these conclusions, the Director ordered that:
 - “2. Water District No. 45-A, Basin Creek and tributaries; Water District No. 45-B, Birch Creek and tributaries; Water District No. 45-C, Goose Creek and tributaries; Water District No. 45-F, Marsh Creek and tributaries; Water District No. 45-K, Cottonwood Creek and tributaries; Water District No. 45-N, Dry Creek and tributaries; and Water District No. 45-O, Golden Valley (ground water in the Cottonwood Critical Ground Water Area), are designated as sub-districts within Water District No. 140. These sub-districts shall continue to meet annually to elect a sub-district watermaster, adopt a budget, and select an advisory committee. These sub-districts, except for Water District No. 45-O, shall be responsible for distribution of surface water rights that have been reported or partially decreed in the SRBA and located within the respective sub-districts.

Water District No. 45-O shall be responsible for distribution and administration of ground water rights within the district that have been reported or partially decreed in the SRBA. For 2008, water right holders within the sub-districts shall meet at a time and place as normally determined by the district. Water rights in any existing water district designated herein as a sub-district that is or becomes inactive shall be administered directly by the watermaster of Water District No. 140. Water rights in an existing active water district designated herein as a sub-district shall not be subject to assessments from Water District No. 140 unless the Director determines that the sub-district is not providing for adequate distribution of water and the watermaster of Water District No. 140 is required to directly expend time or resources to deliver and/or regulate water in that sub-district.”

Id. at 13

4. At the time of issuance of the *Amended Final Order* in 2008 the appointed watermaster of WD 140 was an employee of the Department and was expected to oversee and support the sub-districts. Starting in 2010, however, WD 140 has not elected a watermaster who is a full-time employee of the Department. WD 140 has not been expected to provide each sub-district the support and oversight specified in the *Amended Final Order* and has not assessed the water right holders either in or outside of the sub-districts to provide sub-district support and oversight.

5. Instead, since 2010 the sub-districts acted in all ways as independent water districts, despite their formal designation as sub-districts. During this time the Department has been supporting and overseeing the sub-districts and their watermasters. During the irrigation season the statutory requirements of Chapter 6, Title 42, Idaho Code, are being independently met for water right administration in the sub-districts without WD 140 watermaster oversight or support. Diversions in the sub-districts have adequate measuring devices and controlling head gates, are measured or recorded on a regular basis, and are monitored or regulated during the irrigation season. Additionally, all sub-districts are active, the sub-districts maintain adequate measurement records, annual watermaster reports are complete and timely submitted, and annual meetings are conducted. The sub-districts enforce applicable limitations on surface water rights outside of the irrigation season.

6. WD 140 currently regulates all water rights diverting from ground water in Basin 45, except ground water rights in Sub-District No. 45O, Golden Valley (ground water in the Cottonwood Critical Ground Water Area). WD 140 currently administers surface water rights in Basin 45 outside the sub-districts. Assistance from and oversight by the WD 140 watermaster is not needed for the administration of water rights in the sub-districts.

7. The Department will continue to support Basin 45 sub-districts if they are re-designated as independent water districts.

8. The Department consulted with all affected Basin 45 water district watermasters and advisory committees to ensure the proposed modification will not negatively affect existing administration within their respective jurisdictions. The proposed modification will allow water districts within Basin 45 to continue to operate independently.

9. Michael Cranney, WD 140 chairman, testified and submitted a written version of his testimony to the Department at the hearing on October 13, 2021. He expressed the following concerns:

- a. Removing the sub-districts from WD 140 would deny the sub-districts access to the political process of working together within WD 140 to resolve issues pertinent to the general area.
 - b. There are ground and surface water rights in most WD 140 sub-districts, and the WD 140 advisory committee provided representation to all ground and surface water users.
 - c. Separating ground and surface water districts could bring the Department back into administering some of the water rights in the sub-districts with duplication of authority and potential over-reach by the Department.
 - d. Separating ground and surface water districts will add cost for all water users.
 - e. WD 140 hired a watermaster not employed by the Department to save costs and work out violations on a local level. The Department watermaster was adversarial and did not represent the water users.
 - f. The sub-districts should be required to report to the WD 140 watermaster, and WD 140 would then be responsible to submit the reports to the Department. This would allow WD 140 to ensure that it receives mitigation credit for all of its water purchases.
 - g. WD 140 in its current form has spent its own money to resolve water issues in the district by construction of pipelines, recharge sites, water right purchases, and rentals.
 - h. Do not try to fix something that does not need fixed.
10. Bret Gorrige testified that his water rights fall in a sub-district.
- a. The proposed change would remove the sub-districts from the dispute between WD 140 and the Department employee watermaster. The proposed boundary change would return the sub-districts back to what they were doing before creation of WD 140.
 - b. Sub-districts have always taken care of their own expenses and still do. Being separated from WD 140 since 2007 saved the sub-districts money.
 - c. He supports the proposed change. Creation of the sub-districts should never have been done to begin with.
11. Don Pickett wrote that he did not expressly object to the proposed action. However, Mr. Pickett expressed two concerns:
- a. Based upon past experience with the Department Mr. Pickett stated that the electors of WD 140 did not want to revert back to what he described as an overbearing personality as watermaster, nor should water users be restricted from conducting routine maintenance by Department employees who exceed their legal authority.

- b. The Notice of Proposed Action was deficient in that it: 1) failed to fully state the standard for changing the boundary of a water district under Idaho Code § 42-604; 2) it did not expect the WD 140 watermaster to fulfill the duties specified in the *Amended Final Order* nor explain how the Department's continuing support and oversight makes the proposed change necessary or required; and 3) fails to identify that WD 140 has failed in the performance in its duties or has been unwilling or unable to correct any failure upon notification from the Department.

CONCLUSIONS OF LAW

Statutory Authorities

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. Idaho Code §§ 42-226 and 42-237a.g., assign the authority and responsibility to the Director for the administration of ground water rights in the state in accordance with the prior appropriation doctrine as established by Idaho law so as to protect prior surface and ground water rights.

4. 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.

5. Idaho Code § 42-604 authorizes the Director to 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. The Director may also revise the boundaries of a water district, abolish a water district, or combine two (2) or more water districts, by entry of an order, if such action is required in order to properly administer the users of the water resource. A corollary to this authorization is that the Director may also revise boundaries when experience shows that previously established water district boundaries were not required in order to properly administer the users of the water resource.

Response to Testimony and Written Comments

6. The Department understands Mr. Cranney's testimony. He describes WD 140 operating as it was originally envisioned when the Department issued the *Amended Final Order*. The reality is, however, that WD 140 and the sub-districts have operated as if the sub-districts were separate water districts since the Department employee was removed as WD 140 watermaster. As originally structured the Department employee provided the sub-districts Departmental oversight and assistance as the WD 140 watermaster. Since the change in watermaster the Department has provided general oversight and assistance separately to WD 140 and the sub-districts. Separate management of WD 140 and the sub-

district has not prevented the Basin 45 water users from resolving the water issues confronting them on a local level. Formalizing the separation between WD 140 and the sub-districts will not increase the costs to the water users and will not prevent access to water purchase and delivery records from the Department. The sub-district structure under the oversight umbrella of WD 140 is not required to properly administer the users of the water resource in Basin 45.

7. Mr. Gorringer was correct in his testimony that the Department’s proposed action will formally return the sub-districts back to what they were before the creation of WD 140. The sub-districts will continue to operate as they have for at least the last ten years, and the sub-district structure is not required to properly administer water uses in Basin 45.

8. Although Mr. Pickett does not oppose the Proposed Action the Department notes that his stated concerns regarding a reversion back to a Department employee as watermaster are unjustified. The Department will continue only to provide general oversight and assistance to WD 140 and the new water districts, in the same fashion as it has for the last ten years. The proposed action will not increase Departmental involvement. Mr. Pickett’s procedural concerns regarding the Notice of Proposed Action suggest that more is required in the Notice than is necessary. The Notice correctly cites the statutory section under which the Department is proceeding—Idaho Code § 42-604. As shown by Mr. Pickett’s comments themselves the standards to be applied under that section are readily obtainable using the code reference. Further, Mr. Pickett seems to expect a full justification for the Proposed Action in the Notice. The Notice simply described the Proposed Action and outlined the basic reasons for taking that Action. This Order describes the Department’s justification for taking this action.

District Revision

9. Based upon the above statutory authorities and the record in this proceeding, the Director should revise WD 140 by removing the sub-districts in Basin 45, and designating those sub-districts as independent water districts, as shown on the map appended hereto as Attachment A. WD 140 should retain its current external boundary and administer all ground water rights in Basin 45 outside the boundary of Water District No. 45O, and surface water rights in Basin 45 outside the boundaries of other water districts in Basin 45. The independent water districts and WD 140 should administer water rights with the assigned water sources within their boundaries to protect senior priority water rights as follows:

<u>Water District Name</u>	<u>Assigned water source(s)</u>
• 45A, Basin Creek and tributaries	surface water
• 45B, Birch Creek and tributaries	surface water
• 45C, Goose Creek and tributaries	surface water
• 45F, Marsh Creek and tributaries	surface water
• 45K, Cottonwood Creek and tributaries	surface water
• 45N, Dry Creek and tributaries	surface water
• 45O, Golden Valley	ground water
• 140	ground water, except ground water rights in Water District No. 45O, Golden Valley (ground water in the Cottonwood Critical Ground Water Area), and surface water outside the other water districts in Basin 45

Proper and efficient administration of water rights in Basin 45 does not require sub-districts of WD 140, or assistance from and oversight by the WD 140 watermaster.

10. The Director concludes that the water districts should be used to administer the affected water rights in accordance with the prior appropriation doctrine as established by Idaho law.

Administration of Affected Water Rights

11. The Director concludes that the water districts identified in this Order and their watermasters shall perform the duties prescribed by Chapter 6, Title 42, Idaho Code, and in accordance with the guidelines, direction, and supervision of the Director.

ORDER

IT IS HEREBY ORDERED that:

1. Sub-district No. 45A, Basin Creek and tributaries; Sub-district No. 45B, Birch Creek and tributaries; Sub-district No. 45C, Goose Creek and tributaries; Sub-district No. 45F, Marsh Creek and tributaries; Sub-district No. 45K, Cottonwood Creek and tributaries; Sub-district No. 45N, Dry Creek and tributaries; and Water District No. 45O, Golden Valley (ground water in the Cottonwood Critical Ground Water Area), previously under Water District No. 140 are designated as independent Water Districts, within the area depicted on the map appended hereto as Attachment A and incorporated herein by reference. These Water Districts, except for Water District No. 45O, shall be responsible for distribution of surface water rights that have been reported or decreed in the SRBA or licensed by the Department and located within the respective Water Districts. Water District No. 45O shall be responsible for distribution and administration of ground water rights within the district that have been decreed in the SRBA or licensed by the Department, except small domestic and stock water rights as defined under Idaho Code §§ 42-111 and 42-1401A(11). Water rights formally administered by a sub-district which is now designated herein as a water district shall not be subject to assessments from Water District No. 140.

2. Water District No. 140 shall be responsible for distribution and administration of ground water rights within the District, excepting the ground water rights in Water District No. 45O, Golden Valley (ground water in the Cottonwood Critical Ground Water Area) and small domestic and stock water rights as defined under Idaho Code §§ 42-111 and 42-1401A(11), and surface water outside the water districts in Basin 45 established in paragraph 1, as depicted on the map appended hereto as Attachment A and incorporated herein by reference.

3. Water rights diverted from geothermal sources upstream of Oakley Reservoir are included in Water District No. 140 but shall be administered separately from water rights diverted from other ground and surface water sources in Basin 45. The watermaster of Water District No. 140 shall monitor or coordinate monitoring of the geothermal diversions above Oakley Reservoir with the watermaster of Water District No. 45C as necessary to ensure proper delivery of water when geothermal and surface water rights are used in combination for the same use.

4. Ground water districts, irrigation districts, or other water use entities may measure and report on behalf of their members' ground water diversions within their organizational boundaries provided that the district or other water use entity measures and reports diversions in accordance with guidelines and direction provided by the Director.

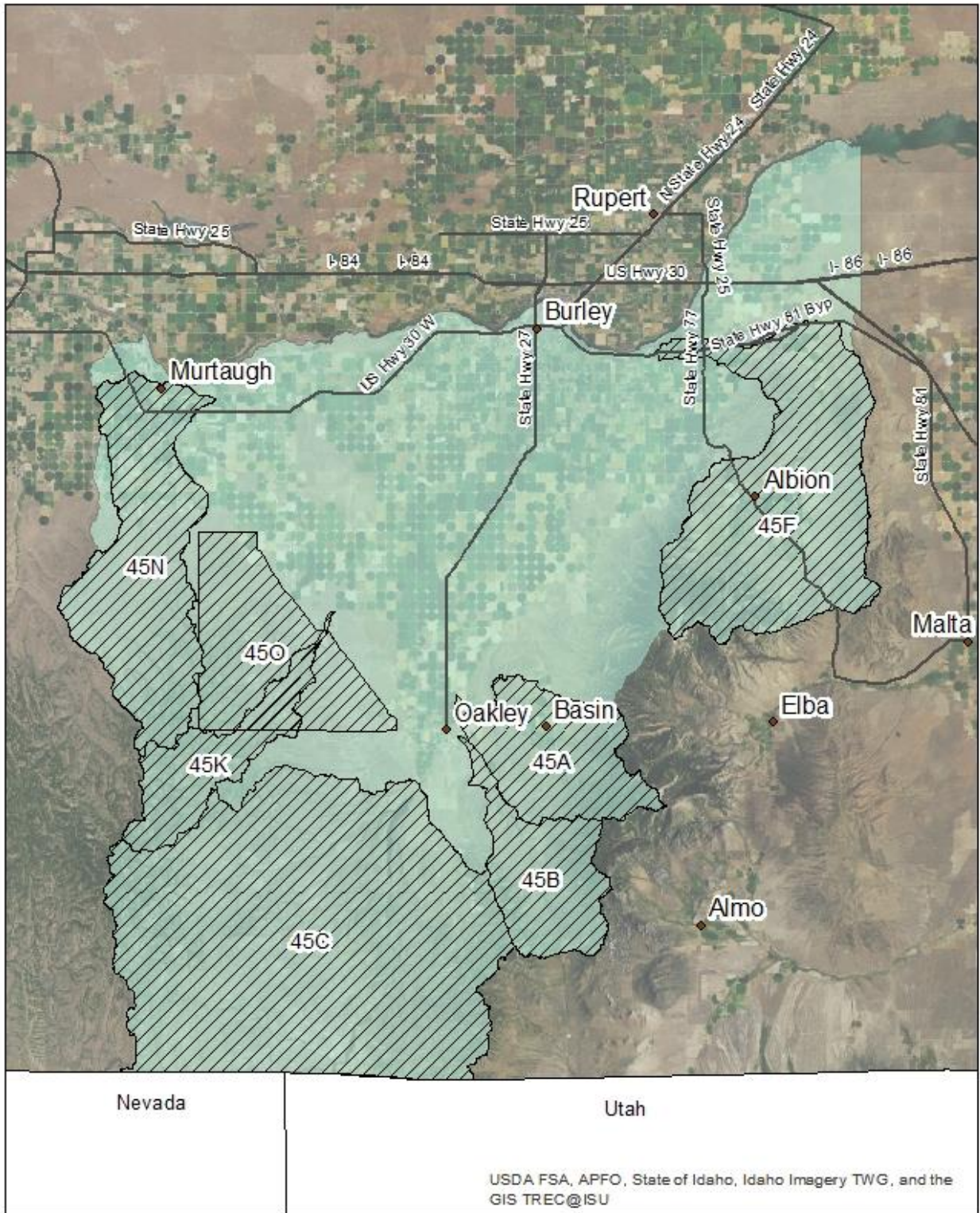
5. The water districts identified in this Order and their watermasters shall perform the duties prescribed by Chapter 6, Title 42 Idaho Code, and in accordance with the guidelines, direction, and supervision of the Director.

DATED this 15th day of November, 2021.

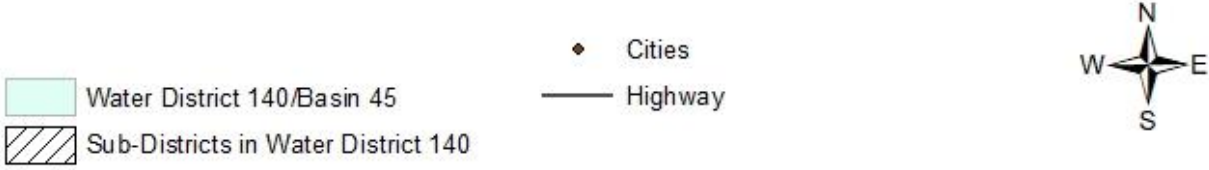


Peter Anderson
Presiding Officer

ATTACHMENT A



USDA FSA, APFO, State of Idaho, Idaho Imagery TWG, and the GIS TREC@ISU



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of November, 2021, the above 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.



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CITY OF ALBION
PO BOX 147
ALBION, ID 83311

CITY OF BURLEY
PO BOX 1090
BURLEY, ID 83318

CITY OF DECLO
PO BOX 159
DECLO, ID 83323

CITY OF MURTAUGH
PO BOX 157
MURTAUGH, ID 83344

CITY OF OAKLEY
200 W MAIN
PO BOX 266
OAKLEY, ID 83346

ALAN G, DAVID A & DOROTHY E CLARK
1000 S 1000 E
ALBION, ID 83311

SHIRLEY A CLARK
1017 E 1000 S
STAR RT BOX 20
ALBION, ID 83311

DENISE EVERHEART CLARK &
GRANT CLARK
1176 S HWY 77
ALBION, ID 83311-9706

ELLEN CLARK
925 W 200 N STE A3
LOGAN, UT 84321-2610

RICHARD GLENN & SHIRLEY A CLARK
PO BOX 20
ALBION, ID 83311

CASEY AND SHANE CLAYSON
118 E 100 S
BURLEY, ID 83318

CARRIE L AND DOUGLAS M CLAYTON
602 W HWY 30
BURLEY, ID 83318

CLIFFORD SEARLE
500 E 500 S
BURLEY, ID 83318

CLOYD R SEARLE / MOO VIEW COW
PALACE
474 E 550 S
BURLEY, ID 83318

HOWARD E CONRAD
325 S 1200 W
MURTAUGH, ID 83344

CONSOLIDATED AG PROPERTIES LLC,
FED AGRIBUSINESS LLC,ET AL
568 W 1650 S
OAKLEY, ID 83346

MAX COOPER
PO BOX 47
OAKLEY, ID 83346

CRAIG SEARLE, CRAIG SEARLE FAMILY
TRUST AND MVCP LLC
522 E 600 S
BURLEY, ID 83318

KARI L AND TROY W CRANE
251 E 300 S
BURLEY, ID 83318-5680

CALVIN C CRANE
356 S 250 E
BURLEY, ID 83318

DANFORD L CRANE II AND SHAUNNA
CRANE
3772 N 3600 E
KIMBERLY, ID 83341-5075

DAVID A AND HELEN B CRANER
517 CEDAR DR
BURLEY, ID 83318

CRANNEY BROTHERS, G5 LAND CO LLC ,
ET AL
1310 S 600 W
OAKLEY, ID 83346

CRANNEY LAND CO LLC
503 W 1300 S
OAKLEY, ID 83346

ALLA MARIE CRAWFORTH
3826 N LEGACY COMMON AVE
MERIDIAN, ID 83642

JOHN CREER
139 E S TEMPLE
SALT LAKE CITY, UT 84111

KEITH P CRITCHFIELD
C/O DAVID CRITCHFIELD
1854 S HWY 27
OAKLEY, ID 83346

CRITCHFIELD FARMS
1815 S HWY 27
OAKLEY, ID 83346

CROP PRODUCTION SERVICES
3005 ROCKY MOUNTAIN AVE
LOVELAND, CO 80538

NICHOLAS AND TOBEE CUMMINS
4402 E 3300 N
MURTAUGH, ID 83344-5204

CARLA J AND DANIEL E CUMMINS
4418 E 3300 N
MURTAUGH, ID 83344-5204

LINDA AND LOGAN CUMMINS
PO BOX 217
MURTAUGH, ID 83344-0217

LA VON & VIOLA CUNNINGHAM
PO BOX 104
ALBION, ID 83311

D L EVANS BANK
PO BOX 87
TWIN FALLS, ID 83303-0087

GEORGE E & MARGARET A DAMOUDE
PO BOX 153
OAKLEY, ID 83346-0153

GINA R AND SHANE DARRINGTON
1102 E 100 S
DECLO, ID 83323

TIM S DARRINGTON
28 N 775 E
DECLO, ID 83323

DENTON C AND VIRGENE L
DARRINGTON
302 S HWY 77
DECLO, ID 83323

MARK L AND VERLA DARRINGTON
930 E 390 N
DECLO, ID 83323

NORMAN E DAYLEY
1000 S 1300 E
PO BOX 165
ALBION, ID 83311

DONALD K AND LINDA J DEAN
1342 BURTON AVE
BURLEY, ID 83318

DEL RIO ESTATES HOA INC
C/O STEVE WESTFALL
1329 ALBION AVE
BURLEY, ID 83318

DOUBLE EAGLE INC
C/O DARRELL FUNK
3173 N 4900 E
MURTAUGH, ID 83344

DOUBLE EAGLE PROPERTIES LLLP &
RIDGELINE CATTLE LLC
3173 N 4900 E
MURTAUGH, ID 83344-5359

LONNIE W DOWNS
239 S 50 E
BURLEY, ID 83318-5707

ANGIE DOYLE & RAY FENSTERMAKER
PO BOX 772
PAUL, ID 83347-0772

CHRIS DRAKOS
203 E 1100 S
BURLEY, ID 83318

DON D DUFFIN
PO BOX 581
RUPERT, ID 83350

JACK F DUNCAN
422 E BASELINE
RUPERT, ID 83350

KATHY F & PAUL H DUNCAN , ET AL
750 E 100 S
RUPERT, ID 83350

DUNCAN PARTNERSHIP TRUST, PKD &
TLD PROPERTIES LLC
1404 E 500 N
JACKSON, ID 83350

E Z LIVIN TRAILER COURT
C/O DIANE GRISWALD
525 W 377 LN S
HEYBURN, ID 83336

EAGLE CREEK NORTHWEST LLC,ET AL
C/O UBS FARMLAND INVESTORS LLC
10 STATE HOUSE SQ FL 15
HARTFORD, CT 06103-3600

EAST RIDGE MILK LLC AND RAY
ROBINSON
506 E 500 S
BURLEY, ID 83318

JASON T SPURGEON-EDDINGS & RE
NAE EDDINGS
110 E 100 S
BURLEY, ID 83318

EDWARD L UHLIG FOUNDATION
C/O JEANENE FRAZIER
2359 STADIUM BLVD
TWIN FALLS, ID 83301

GORDON C EGBERT
3327 N 5000 E
MURTAUGH, ID 83344

CLARENCE V EGBERT
4929 E 3400 N
MURTAUGH, ID 83344

CHRIS AND ERNESTINE EKINS
563 W HWY 30
BURLEY, ID 83318

VAL EKLUND
1129 SIX S RANCH RD
DECLO, ID 83323

DARLENE AND JOHN R ERICKSON
PO BOX 455
ALBION, ID 83311

GARY AND TODD ERICKSON
PO BOX 545
ALBION, ID 83311

ESTATE OF EDWARD L KIRK
C/O CHARLOTTE SMITH
RT 1
MURTAUGH, ID 83344

ESTATE OF FRANK W SCHNEIDER
C/O HATTIE AUSTIN
BURLEY, ID 83318

ESTATE OF KENT JAY COOPER
THOMAS DIGRAZIA PERSONAL REP
990 E 900 S
ALBION, ID 83311

EVARD LLC AND GIBBY GROUP LLC
134 E HIGHWAY 81
BURLEY, ID 83318-5427

BASIL FAIRCHILD
2025 S 00 E
OAKLEY, ID 83346-8704

ASAHIL FAIRCHILD
620 E MAIN
OAKLEY, ID 83346

FARMLAND RESERVE INC
79 S MAIN ST STE 1000
SALT LAKE CITY, UT 84111

DEANN F AND ROBERT G FEHLMAN
PO BOX 251
OAKLEY, ID 83346

DELMAR FERGUSON
176 INDIAN SPRINGS ST
JACKSON, GA 30233-2124

FIRST PRESBYTERIAN CHURCH
2100 BURTON AVE
BURLEY, ID 83318

EDITH L AND HARRY W FITZGERALD
PO BOX 55
ALBION, ID 83311

FLF SAWTOOTH LLC
119 S B ST
SAN MATEO, CA 94401-3908

CLYDINE FONNESBECK
2441 W 16TH ST
BURLEY, ID 83318

R A FOSS
1157 E 4400 N
BUHL, ID 83316

GARY FOWLER
212 PLEASANT WAY
RUPERT, ID 83350

GARY L FOWLER AND SARA D SOMSEN-
FOWLER
47 S 600 E
RUPERT, ID 83350

FRANKLIN DON & ZOE FAR WIXOM,
RAYMOND
1225 EAST 2ND AVE
SALT LAKE CITY, UT 84103-4330

LEROY AND RONDA FUNK
185 E 100 S
BURLEY, ID 83318

DAVID L AND SHIRLENE FUNK
3040 N 3800 E
HANSEN, ID 83334-5246

G DOT FARMS INC
W GARY WHITELEY
PO BOX 211
OAKLEY, ID 83346

JOHN W GARLAND
136 E MARKET ST
ALBION, ID 83311

KATHLEEN AND THOMAS E GARRARD
159 W 700 S
BURLEY, ID 83318

DIXIE NOTHWANG, JACK C SHERRILL
LIVING TRUST & JOAN GAVIN
415 ADDISON AVE STE 3
TWIN FALLS, ID 83301-5179

GCW RANCH LLC
950 E 17TH ST
BURLEY, ID 83318

V THOMAS GEARY
964 S 950 E
ALBION, ID 83311

LAVERDA V GEE
BOX 74
OAKLEY, ID 83346

JEFFERY, KAITLYN AND SUZANNE
GERARD
565 W 40 S
BURLEY, ID 83318

LARRYAND REX GERRATT
DBA IDA GOLD FARMS
246 E 300 S
BURLEY, ID 83318

REED GIBBY
872 E PEBBLE DR
BURLEY, ID 83318

JANET M GIEBLER
1172 WOODRIVER DR
TWIN FALLS, ID 83301-8353

GLENN WARD DAIRY LLC
GLENN A WARD
227 E 400 S
BURLEY, ID 83318

JIM W AND MARILYN A GOCHNOUR
326 W 200 S
BURLEY, ID 83318

GOLDEN RAIL MOBILE HOME COURT
PO BOX 221
JEROME, ID 83338

GOOSE CREEK IRRIGATION DISTRICT /
OAKLEY CANAL CO
PO BOX 207
OAKLEY, ID 83346-0207

TOM C GORRINGE
1985 S 100 E
OAKLEY, ID 83346-8712

LORRAINE GORRINGE
201 N BLAINE AVE
PO BOX 125
OAKLEY, ID 83346-0125

ELMER M GRAFF
3363 N 4500 E
MURTAUGH, ID 83344

DEBORA AND MARK G GRIGG
PO BOX 7
ALBION, ID 83311-0007

CHARLES E AND REBECCA M
GUMMERSON
723 E 200 S
BURLEY, ID 83318

DONALD G GUNDERSON
1047 E 1000 S
ALBION, ID 83311-0125

H & S FARMS LTD PARTNERSHIP
1687 S HWY 27
OAKLEY, ID 83346

CHAD W HUNTER AND UTAUNA K HALE
330 W POPLAR ST
OAKLEY, ID 83346-9729

UTAUNA A HALE
395 W POPLAR
OAKLEY, ID 83346

HANEY SEED CO
PO BOX 502
TWIN FALLS, ID 83303-0502

VIRGINIA E HANSEN
C/O JANET SUNDERLAND
393 N 350 E
RUPERT, ID 83350

KARLENE AND RANDY L HARDY
1818 S 500 W
OAKLEY, ID 83346

JAY L HARPER
504 S MILTON AVE
SHELLEY, ID 83274

LUKE MARCHANT AND ROBERT L
HARRIS
PO BOX 50130
IDAHO FALLS, ID 83405-0130

JANET L AND JIMMY D HARTWELL
888 E 500 S
DECLO, ID 83323

FRED HAWKER
361 W 400 S
BURLEY, ID 83318

CRAIG S AND RENAE B HAWKER
PO BOX 267
OAKLEY, ID 83346

HELEN SORENSEN TRUST
992 E 1000 S
ALBION, ID 83311-9707

AARON BRAY AND AMANDA KAE
HEPWORTH
946 OAKWOOD AVE
BURLEY, ID 83318-1482

TANISHA B AND ZACHERY HEWARD
1048 E 900 S
ALBION, ID 83311-9703

DORA W & GERALD B HEWARD &
HEWARD LANDS LTD
686 S 450 E
BURLEY, ID 83318

DEBBIE L AND RONALD J HIEB
1126 E 500 N
JACKSON, ID 83350-5015

HILLSDALE HIGHWAY DISTRICT
PO BOX 265
HAZELTON, ID 83335

DAVID MARK HOBSON
24 S 700 W
BURLEY, ID 83318

CAROL JEAN & TERRY G HOLLIFIELD
22866 HWY 30
HANSEN, ID 83334-5028

MARK AND STACEY HOMAN
1026 E 1000 S
ALBION, ID 83311

AKIYE I HONDO
198 S 450 E
BURLEY, ID 83318

DANIEL A HONDO & HONDO FARMS
285 E 200 S
BURLEY, ID 83318

ANDREA B AND BRIAN J HUETTIG
1247 S 2000 E
HAZELTON, ID 83335-5467

LOIS E HURST
2140 STADIUM BLVD
TWIN FALLS, ID 83301-4454

SHERRIE AND WAYNE HURST
273 S 750 E
BURLEY, ID 83318

W JAY HUTCHISON
31 S 500 E
RUPERT, ID 83350

JA NEAL AND WINSTON HUTCHISON
629 E 300 S
BURLEY, ID 83318

IDA GOLD FARMS GENERAL
PARTNERSHIP
2500 OVERLAND AVE
BURLEY, ID 83318-2941

IDAHO AG CREDIT FLCA,& IDAHO
AGCREDIT PCA
2883 HIGHWAY 39
AMERICAN FLS, ID 83211-5347

IDAHO AGRI INVESTMENTS LLC &
IDAHO DAIRY HOLDINGS LLC
127 CONLEY DR
CHESTERTOWN, MD 21620-1005

IDAHO POWER CO
C/O KRESTA DAVIS
PO BOX 70
BOISE, ID 83707-0070

J R SIMPLOT CO
ENV & REGULATORY AFFAIRS
PO BOX 27
BOISE, ID 83707-0027

IRIS AND MICHAEL JACKSON
6756 S TALASI AVE
BOISE, ID 83709-8031

JADE INVESTMENTS LTD PARTNERSHIP
RT 1 PO BOX 293-A
RUPERT, ID 83350

JAMES GRIMM & SONS
RT 1
MURTAUGH, ID 83344

LEROY & PEGGY JAROLIMEK / WEST
SLOPE FARMS INC
605 S 600 W
BURLEY, ID 83318

JKD RANCHES LLC AND KEF PROPERTIES
LLC
360 E 1825 N
CENTERVILLE, UT 84014

JOHN MARSHALL LAW PLLC
GIVENS PURSLEY LLP
575 W BANNOCK ST STE B
BOISE, ID 83702

BOB A AND JAN E JOHNSON
228 E 300 N
RUPERT, ID 83350

H LEE AND MARIJANE JOLLEY
PO BOX 21
ALBION, ID 83311

BRYCE B AND SARA H JONES
270 N LINCOLN AVE
OAKLEY, ID 83346

KAY C AND MATTHEW JONES
3632 OVERLAND AVE
BURLEY, ID 83318-3242

JOSEF & RITA EHRLER TRUST
JOSEF A EHRLER
PO BOX 1000
JOSEPH, OR 97846

DAVID JUDD
1752 S HWY 27
OAKLEY, ID 83346

ALENE L AND GLENN C JUDD
450 S HWY 27
BURLEY, ID 83318

GINGER L AND M NEIL JUSTESEN
2030 S 5 E
OAKLEY, ID 83346-5004

GEORGE, GEORGE M AND JO ANN
KELLEY
PO BOX 25
ALBION, ID 83311

VIRGINIA KELLEY
PO BOX 575
ALBION, ID 83311-0575

KELLY SEARLE
739 S 50 W
BURLEY, ID 83318

JIMMY D KEMPTON
1158 E 1000 S
ALBION, ID 83311

KENT R SEARLE
476 E 600 S
BURLEY, ID 83318

KERBS OIL CO INC
544 N OVERLAND AVE
BURLEY, ID 83318

SHARON KIMBER
1092 E 900 S
ALBION, ID 83311

CORY L KING
237 E 1100 S
BURLEY, ID 83318

JAMES AND RACHEL KIRCHER
2969 MTN SHADOW
BOISE, ID 83702

KIRTON & MC CONKIE
C/O RYAN B FRAZIER
PO BOX 45120
SALT LAKE CITY, UT 84145-0120

KLOEPFER INC
PO BOX 840
PAUL, ID 83347

NICK KNUDSEN
1015 E 900 S
ALBION, ID 83311

DENNIS W AND DIANA E KOCH
3154 N 4750 E
MURTAUGH, ID 83344

KENNY D AND TAMMERA L KOEPNICK
883 E 500 S
DECLO, ID 83323

KOWITZ FARMS LLC
80 PELICAN DR
RUPERT, ID 83350-8714

BRENT AND MICHELLE KOYLE
168 E 900 S
BURLEY, ID 83318

SANDRA KOYLE
PO BOX 123
ALBION, ID 83311

KAREN & WILLIAM JUNIOR KUNZLER
694 S 150 E
BURLEY, ID 83318

L GREGG VANCE TRUST
6667 N MUMMY MOUNTAIN RD
PARADISE VLY, AZ 85253-3380

L RAY STANGER TRUST
C/O RANDY STANGER
3475 N 3800 E
HANSEN, ID 83334

LAKE MEAD ENTERPRISES
1309 ALPINE DR
BOULDER CITY, NV 89005

LINDA L AND STEVEN LANGER
1023 E 900 S
ALBION, ID 83311

RICK D AND WENDY LARSON
154 W HWY 30
BURLEY, ID 83318

ERIN K AND SETH E LARSON
2054 S 50 E
OAKLEY, ID 83346-8705

BECKY J AND CHARLES W LARSON
274 S 150 E
BURLEY, ID 83318

CRAIG S AND PAULEE A LARSON
28 W 208 S
BURLEY, ID 83318-3167

KRISTA J AND MICHAEL W LARY
PO BOX 683
RUPERT, ID 83350

LCSC ENTERPRISES LLC
433 LAS COLINAS BLVD E STE 1290
IRVING, TX 75039-5058

GARY O AND LINDA M LEACH
1096 E 1000 S
ALBION, ID 83311

GENE AND LEANN LEWIS
395 N CENTER ST
OAKLEY, ID 83346

ROGER D LING
LING & ROBINSON
PO BOX 396
RUPERT, ID 83350-0396

ALAN K LLOYD AND HEIDIE
TORREALDAY
939 S 950 E
ALBION, ID 83311-9705

PARSONS SMITH STONE LOVELAND &
SHIRLEY LLP
PO BOX 910
BURLEY, ID 83318

JENNIFER M AND SHAWN MAI
913 S 950 E
ALBION, ID 83311-9705

JUSTIN AND SHILOH MANNING
PO BOX 542
ALBION, ID 83311

MANNING RANCHES INC
2233 BIRCH CREEK RD
OAKLEY, ID 83346-8700

MARCHANT RANCH PROPERTY LLC /
CELIA & GERALD MARCHANT
24 E 1975 S
OAKLEY, ID 83346

JOHN M MARSHALL
JOHN MARSHALL LAW PLLC
575 W BANNOCK ST STE B
BOISE, ID 83702

DENISE AND MARK MARTIN
558 W 200 S
BURLEY, ID 83318

ANNE R AND HAROLD REX MARTIN
75 E 1975 S
OAKLEY, ID 83346-5005

E EUGENE AND HEIDI F MATTHEWS
1249 S HIGHWAY 27
OAKLEY, ID 83346-9755

BLAKE MATTHEWS
84 E 1975 S
OAKLEY, ID 83346-5005

BRITTONI MATTHEWS
84 EAST BASIN RD
OAKLEY, ID 83346

ANGELA AND BRODEN K MATTHEWS
94 E 1975 S
OAKLEY, ID 83346-5005

JAMES C MC BRIDE
PO BOX 203
OAKLEY, ID 83346

MC CAIN FOODS USA INC
218 W HIGHWAY 30
BURLEY, ID 83318-5002

TOM MC CLELLAN
109 S 75 LN E
RUPERT, ID 83350

MC FINNEY AGRI FINANCE LLC
PO BOX 1598
TWIN FALLS, ID 83303-1598

CRYSTAL MC HAN
1154 E 500 N
JACKSON, ID 83350-5015

CANDICE M MC HUGH
MC HUGH BROMLEY PLLC
380 S 4TH ST STE 103
BOISE, ID 83702

TIM MC KNIGHT
PO BOX 276
OAKLEY, ID 83346

JANINE B AND WILLIAM D MC MANUS
1184 E 700 N
JACKSON, ID 83350-5022

NORMAN AND SALLY MC MURRAY
8289 E ADOBE RIDGE RD
YUMA, AZ 85365-9054

BERTHA AND RICARDO MENDOZA
434 S 326 W
BURLEY, ID 83318

METLIFE REAL ESTATE LENDING LLC /
METROPOLITAN LIFE INSURANCE CO
10801 MASTIN ST STE 930
OVERLAND PARK, KS 66210-1677

SUSAN AND WILLIAM J MILLENKAMP
471 N 300 W
JEROME, ID 83338

MILLERCOORS USA LLC
250 S WACKER DR STE 800
CHICAGO, IL 60606-6301

MILNER IRRIGATION DISTRICT
5294 E 3610 N
MURTAUGH, ID 83344

MINIDOKA COUNTY HIGHWAY
DISTRICT
PO BOX 237
RUPERT, ID 83350

RALPH M MITCHELL
69 LAURIE LN
BURLEY, ID 83318

JAN R AND LYNN N MITCHELL
75 PELICAN DR
RUPERT, ID 83350-8714

DELL N AND SUSAN L MITCHELL
999 E 300 N
DECLO, ID 83323-5000

DELROY AND SIDNEE MITTON
BOX 231
OAKLEY, ID 83346

ANN E AND DINO A MOLINARI
PO BOX 491
ALBION, ID 83311-0491

GEORGE A MONTGOMERY
937 S 900 E
ALBION, ID 83311

HEATHER AND ROBERT T (TROY)
MORTENSEN
PO BOX 96
ALBION, ID 83311-0096

DEAN H AND MARSHA MOSS
884 E 500 S
DECLO, ID 83323

COLLEEN AND DAVID W MOYES
4413 E 3300 N
MURTAUGH, ID 83344

DON MOYLE
571 E HWY 81
BURLEY, ID 83318

CAMILLE MUHLESTEIN
PO BOX 12
OAKLEY, ID 83346

GARY MULLARD
PO BOX 249
OAKLEY, ID 83346

JAMES AND KAREN MULLEN
920 W 2000 S
OAKLEY, ID 83346

DONALD M AND DOROTHY S MURPHY
119 POLK ST
TWIN FALLS, ID 83301

MURTAUGH JOINT SCHOOL DISTRICT
#418
PO BOX 117
MURTAUGH, ID 83344

GALEN O AND PEGGY S MYERS
PO BOX 1627
DUBOIS, WY 82513

R T NAIL
C/O MONTE NAIL
1880 FOWLER ST
RICHLAND, WA 99352

RAMONA B COUCH NELSON
91 W 820 N
SANTAQUIN, UT 84655

LONNA AND MARK T NEWCOMB
251 E 200 S
RUPERT, ID 83350

BRUCE C NEWCOMB
2564 S SWALLOWTAIL LN
BOISE, ID 83706

NOREE M AND RYAN NEWMAN
PO BOX 276
COWLEY, WY 82420-0276

JAY AND LILLIAN A NIELSEN
4033 N CANYON RIDGE DR
TWIN FALLS, ID 83301

EDWARD LEON NOLAN
616 MAIN
FILER, ID 83328

NORTHWEST FARM CREDIT SERVICES
406 PARK VIEW LOOP
TWIN FALLS, ID 83301-3393

NORTHWEST PIPELINE CORP
RIGHT OF WAY MAIL STOP 10362
PO BOX 58900
SALT LAKE CITY, UT 84158-0900

O MALLEY PROPERTIES LLC
PO BOX 1901
TWIN FALLS, ID 83303

OAK VALLEY LAND CO LLC
468 S 800 W
BURLEY, ID 83318-5201

OAKLEY VALLEY FARMS, ROBINSON
BROS LAND LLC ET AL
1496 S 500 W
OAKLEY, ID 83346

OAKLEY VALLEY STONE INC
PO BOX 28
225 W MAIN
OAKLEY, ID 83346

SHARON PAPP OKELBERRY
106 W MAIN
OAKLEY, ID 83346

DEBBY AND ROGER K OLIVER
52 CONLEY LN
BURLEY, ID 83318

RONALD L AND CARLA R OSBORNE
373 S THORNWOOD DR
MERIDIAN, ID 83642-6223

DANA, GAYLEN, LORRIE & VIRGINIA M
OSTERHOUT
466 W 90 N
BURLEY, ID 83318

PACIFIC LIFE INSURANCE CO
C/O EQUITABLE AGRIFINANCE LLC
6300 C ST SW STOP 3B-CR
CEDAR RAPIDS, IA 52404-7470

PARK WATER CO INC
C/O BARNEY L GREENER SEC
19 W 200 S
BURLEY, ID 83318

PARKER & HALLETT LLC
111 W PECK RD
RUPERT, ID 83350

KAREN R PARTON
PO BOX 564
ALBION, ID 83311

LISA E & RUSSELL V PATTERSON AND
PATTCO LLLP
1800 Z ST
HEYBURN, ID 83336-7648

LILAH AND WALTER T PAUL
300 TAMI DR
BURLEY, ID 83318

KATHY AND TIM PAYTON
478 W 1900 S
OAKLEY, ID 83346

BETTY AND JESSIE DEAN PERRY
PO BOX 12
ALBION, ID 83311

MERIEL B PETERSON
PO BOX 181
OAKLEY, ID 83346

CHERIE JAN AND HUGH NELS
PETERSON
PO BOX 57
OAKLEY, ID 83346

BREK AND EMILY PILLING
280 E HIGHWAY 81
BURLEY, ID 83318-5428

JASON PINA
1701 SCHODDE AVE
BURLEY, ID 83318-2232

POOR FARM INC
PO BOX 304
BURLEY, ID 83318

SHOULDER 3 RANCHES INC & TESSA A
POULSEN
709 LAVA POINTE DR
SAINT GEORGE, UT 84770-5161

GARY R AND KATHERINE POULTON
605 W 2200 S
OAKLEY, ID 83346

WILLIAM A AND MARGARET POULTON
977 S 150 E
BURLEY, ID 83318

PREFONTAINE GREEN CHOP INC
110 S 450 E
BURLEY, ID 83318-5407

BERTHA & EUGENE F PRICE
C/O BETTY JEAN SEESSEE
410 E 18TH ST
BURLEY, ID 83318

REBECCA AND SCOTT E PROW
249 S 400 W
BURLEY, ID 83318

BRENDA AND DAN R PRUETT
1031 E 200 N
DECLO, ID 83323

CINDY QUALLS
PO BOX 193
OAKLEY, ID 83346

QUARTER CIRCLE FIVE
3805 SANDPIPER
POCATELLO, ID 83201

RABO AGRIFINANCE LLC
14767 N OUTER 40 RD STE 400
CHESTERFIELD, MO 63017

RABO AGRIFINANCE LLC
237 CANYON CREST DR
TWIN FALLS, ID 83301-5919

RABO AGRIFINANCE LLC
PO BOX 411995
SAINT LOUIS, MO 63141-1995

GLEN M REEDER AND K C RAMSEY
1074 E 900 S
ALBION, ID 83311

RANCH PROPERTIES LLC
3663 EAST 3500 NORTH
KIMBERLY, ID 83341

GRANT D RANDALL
RT 2 BOX 172
BURLEY, ID 83318

ILIA C RANDELL
PO BOX 59
OAKLEY, ID 83346

GENE M RANSTROM / HOFFBUHR
INVESTMENT CO LLC
205 W HWY 30
BURLEY, ID 83318

JEFFREY R & SHAWNA L RASMUSSEN
377 N 916 E
DECLO, ID 83323-5126

RICH REDMAN
PO BOX 14
ALBION, ID 83311

DARLA D AND ODEEN K REDMAN
PO BOX 22
ALBION, ID 83311-0022

LORNA B REEDER
900 E 300 N
DECLO, ID 83323-5000

RIVERSIDE INVESTMENT FAMILY LP
PO BOX 1120
BURLEY, ID 83318

ROBINS FARMS INC
C/O GARY ROBINS
122 W 600 S
BURLEY, ID 83318

KARLA L ROBINSON
1170 E 810 S
ALBION, ID 83311

PAXTON ROBINSON
1549 S 500 W
OAKLEY, ID 83346-9751

COLT T & MORGAN NOEL ROBINSON
1560 S 500 W
OAKLEY, ID 83346

ALYSSA M AND RICK R ROBINSON
161 W 1495 S
OAKLEY, ID 83346

HOWARD ROBINSON
2288 W WILLIAMSBURG CIR
WEST JORDAN, UT 84088-6409

BERNICE E ROBINSON
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RAY ROBINSON
506 E 500 S
BURLEY, ID 83318

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PO BOX 392
1210 COW ALLEY CIR
OAKLEY, UT 84055-0392

KARLA, LEROY ROBINSON & LOLETA
MAY MERRILL
PO BOX 486
ALBION, ID 83311-0486

ROBINSON & WHITELEY LLC
PO BOX 189
OAKLEY, ID 83346

GLENN AND MARCA ROSE
1896 S 500 W
OAKLEY, ID 83346-9741

LEAH ROSE
994 S 150 E
BURLEY, ID 83318

JON AND SANDRA O ROUNDY
2811 W WILLARD ST
MERIDIAN, ID 83642-4357

JUSTIN ROWSER
2465 HILAND AVE APT B106
BURLEY, ID 83318-2757

THOMAS A RUDY
200 CHURHILL DR
BURLEY, ID 83318

S & J HOLDINGS LLC
148 BLUE LAKES BLVD N #308
TWIN FALLS, ID 83301

SCHENK LAND & CATTLE LP
1380 S 50 W
OAKLEY, ID 83346-8715

ALLEN SCHNEIDER
4376 E 3500 N
MURTAUGH, ID 83344-5032

ALLEN K SCHRENK
1230 E HWY 81 BYP
DECLO, ID 83323-5062

SCOTT E GARNER TRUST
15 BARRINGTON HILLS RD
BARRINGTON, IL 60010-4005

KAREN K AND PAUL M SEARLE
171 E 600 S
BURLEY, ID 83318-5694

GERALDINE AND ORVAL M SEARLE
615 E 600 S
BURLEY, ID 83318-5637

SCOTT O SEARLE
621 E 600 S
BURLEY, ID 83318

RAYMOND C & SHAROL SEARLE
655 S 650 E
BURLEY, ID 83318

NINA SHADDY
RT 2 BOX 2504
BURLEY, ID 83318

BLANCHE W SHEFFIELD
C/O RICHARD SHEFFIELD
1675 OAK LN
PROVO, UT 84604-2142

GERALD J AND WANDA L SIEVERS
105 GEM DR
KIMBERLY, ID 83341-1924

GREGORY L SIEVERS
3024 N 4600 E
MURTAUGH, ID 83344-5258

STEPHANIE SIEVERS
4612 E 3125 N
MURTAUGH, ID 83344

TERESA SILCOX / AMY HARWARD
NORTHWEST PIPELINE CORP
MAILSTOP 3E3 295 CHIPETA WAY
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JOYE SIMPSON
868 E 350 N
DECLO, ID 83323

SIX S RANCH LLC
1354 E SIX S RANCH RD
DECLO, ID 83323

CHARLES ELVIS AND DELTA LOU
SKAGGS
934 E 18TH ST
BURLEY, ID 83318-2620

GEORGE E AND NANCY L SMITH
105 E 400 S
BURLEY, ID 83318

GLEN CRAIG AND VICKIE SMITH
155 E 2070 S
OAKLEY, ID 83346

MIRIAM ALLRED SMITH
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BRUCE M SMITH
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950 W BANNOCK ST STE 520
BOISE, ID 83702

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PO BOX 445
BURLEY, ID 83318

KENNETH E AND MARY L SMITH
PO BOX 457
ALBION, ID 83311

DELORES J AND NORMAN L SMYER
76 S HWY 77
DECLO, ID 83323

KEVIN SMYER
PO BOX 482
ALBION, ID 83311

SOLAR FARMS
185 S 600 E
RUPERT, ID 83350

DIANNE L , KRISTINE AND G FRANK
SOMSEN
641 N 1250 E
JACKSON, ID 83350

RONALD S SORENSEN
988 E 1000 S
ALBION, ID 83311

SERN C SORENSEN
PO BOX 171
ALBION, ID 83311

SERN C SORENSEN
PO BOX 53
ALBION, ID 83311

SOUTH RIDGE LAND LLC
726 E 500 S
BURLEY, ID 83318-5632

SOUTHERN IDAHO REGIONAL SOLID
WASTE DIST
PO BOX 159
BURLEY, ID 83318

SOUTHWEST IRRIGATION DISTRICT
PO BOX 668
BURLEY, ID 83318

RICKIE AND SCOTT SPEARIN
2066 POLELINE RD
OAKLEY, ID 83346

SPRING CREEK TERRACES INC
C/O CURTIS POPE
536 TERRACE DR
BURLEY, ID 83318

SPRING CREEK TERRACES INC
C/O GARALD E PRICE
568 TERRACE DR
BURLEY, ID 83318

SPRINGDALE ACRES HOMEOWNERS
ASSN INC
PO BOX 910
BURLEY, ID 83318

STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE, ID 83707-0025

STEPHAN KVANVIG STONE & TRAINOR
LAIRD B STONE
PO BOX 83
TWIN FALLS, ID 83303-0083

BRENT J, LAVEL D, MARLA S, WENDY
STOKER
707 E 500 S
BURLEY, ID 83318-5605

ALETA AND LONNIE STRINGHAM
130 S CHURCH ST
OAKLEY, ID 83346

JERRY S SWISHER
3100 HILAND AVE
BURLEY, ID 83318

CARLA AND CHARLES SYDNOR
RT 1 BOX 398A
RUPERT, ID 83350

LYNN, LISA TAYLOR AND TAJO LLC
1250 E 11 N
DECLO, ID 83323

TAT FARMS LLC
105 W 800 S
BURLEY, ID 83318

TESSENDERLO KERLEY INC
PO BOX 9
BURLEY, ID 83318

THE BANK OF COMMERCE / LEWISTON
STATE BANK
PO BOX 95850
SOUTH JORDAN, UT 84095-0850

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BENICIA, CA 94510-2242

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3284A N 4500 E
MURTAUGH, ID 83344

KEVIN H AND TERESA L TRENT
428 MTN VIEW LN
BURLEY, ID 83318

TRUST A CHRISTIANSON FAMILY
REVOCABLE TRUST
10505 N SAGE HOLLOW WAY
BOISE, ID 83714-9575

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912 E 374 N
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DALE N AND NILENE M TURNER
978 E 450 N
JACKSON, ID 83350-4900

BONNIE AND RUFUS TURNER
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LOVELL J TURNER
C/O RONALD TURNER
912 E 374 N
DECLO, ID 83323

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PO BOX 152
DECLO, ID 83323

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USDI BUREAU OF LAND MANAGEMENT
1387 S VINNELL WAY
BOISE, ID 83709-1657

US BANK NA
241 SHOSHONE ST N
TWIN FALLS, ID 83301-6151

V & R FARMS LLC / V & R FARMS
PARTNERSHIP
715 S 750 E
BURLEY, ID 83318-5744

VILLAGE ENTERPRISES LLC
274 S HWY 25
DECLO, ID 83323

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AUSTIN RAY AND JONI WALKER
HILLSIDE ACRES
905 E 300 S
DECLO, ID 83323

DANIEL C WALTON
C/O JACK DUNCAN
425 E BASELINE
RUPERT, ID 83350

WALLACE P WARD
123 E 100 S
BURLEY, ID 83318-5442

DANIEL G , GLEN, KARLA WARD, ET AL
227 E 400 S
BURLEY, ID 83318

GINA WARD
2869 OVERLAND AVE
BURLEY, ID 83318

ALLAN WARD
3626 E 3990 N
KIMBERLY, ID 83341

ADAM AND AMANDA WARD
PO BOX 43
ALBION, ID 83311-0043

WARD LAND & LIVESTOCK LLC
GLENN A WARD
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BURLEY, ID 83318

DAVID L AND SANDRA L WARREN
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BURLEY, ID 83318

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ALBION, ID 83311

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CLINT MUHLESTEIN
PO BOX 207
OAKLEY, ID 83346

CONNIE AND LARRY WATTERSON
597 S 50 E
BURLEY, ID 83318

GARR G WAYMENT & WAYMENT
FARMS INC
781 S 250 E
BURLEY, ID 83318

WAYNE C ANDERSEN LLC
911 S 700 W
BURLEY, ID 83318

CAROL B AND GEORGE K WELLS
2073 S POLELINE RD
OAKLEY, ID 83346

WELLS FARGO BANK NA
BOISE BBG LOAN OPERATIONS
PO BOX 8203
BOISE, ID 83707-2203

WESTERN AG PRODUCTS LLC
PO BOX 5178
TWIN FALLS, ID 83303

JOSEPH R AND MARY J WHITELEY
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PROVO, UT 84604-6012

WINSLOW B WHITELEY
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OAKLEY, ID 83346

WHITELEY BROTHERS LLC
700 W 2000 S
OAKLEY, ID 83346-8761

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BURLEY, ID 83318

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TWIN FALLS, ID 83301

WILLOW CREEK ENTERPRISES LLC
REED GIBBY
134 E HIGHWAY 81
BURLEY, ID 83318-5427

WINECUP INC
PO BOX 234
OAKLEY, ID 83346-0234

BRITTANY AND WILLIAM JEREMY
WOOD
478 E HWY 81
BURLEY, ID 83318

JILL M AND PAUL P WORNELL
150 E 487 S
BURLEY, ID 83318

GALE WRIGLEY
419 E 600 S
BURLEY, ID 83318

LARISSA AND TYSON WRIGLEY
458 E 400 S
BURLEY, ID 83318-5625

BETH, EDITH M , RICKY D AND MAVIS
WRIGLEY
798 S 450 E
BURLEY, ID 83318

REED WYATT
222 CHURCHILL DR
BURLEY, ID 83318-2702

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BURLEY, ID 83318

DARLA WYBENGA
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STEVE C WYBENGA / WYBENGA DAIRY
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Y DELL BOWL
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BURLEY, ID 83318

ZION LUTHERAN CHURCH
24TH & MILLER
BURLEY, ID 83318

ZIONS FIRST NATIONAL BANK
1350 PARKWAY DR STE 1
BLACKFOOT, ID 83221-1657

ZIONS FIRST NATIONAL BANK
2460 S 3270 W
W VALLEY CITY, UT 84119-1116

ZIONS FIRST NATIONAL BANK
COMMERCIAL BANKING CENTER
1235 S UTAH AVE
IDAHO FALLS, ID 83402-3375

LINDA AND WADE ZOLLINGER
1994 S 100 E
OAKLEY, ID 83346

STATE OF IDAHO
OFFICE OF ATTORNEY GENERAL
PO BOX 83720
BOISE ID 83720-0010

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.