

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

IN THE MATTER OF DISTRIBUTION OF WATER )  
TO VARIOUS WATER RIGHTS HELD BY OR FOR )  
THE BENEFIT OF A&B IRRIGATION DISTRICT, )  
AMERICAN FALLS RESERVOIR DISTRICT #2, )  
BURLEY IRRIGATION DISTRICT, MILNER )  
IRRIGATION DISTRICT, MINIDOKA IRRIGATION )  
DISTRICT, NORTH SIDE CANAL COMPANY, )  
AND TWIN FALLS CANAL COMPANY )  
)  
(Water District Nos. 34, 110, 120, and 130) )  
\_\_\_\_\_ )

**ORDER GRANTING  
REQUEST FOR  
EXTENSION OF TIME**

On December 20, 2007, the Director issued his *Seventh Supplemental Order Amending Replacement Water Requirements* (“Seventh Supplemental Order”). The Seventh Supplemental Order provided “that on or before January 7, 2008, the Idaho Ground Water Appropriators, Inc. shall be required to provide the Director with a signed lease or leases demonstrating that it has secured 14,345 acre-feet of water to compensate the Twin Falls Canal Company for the 17,345 acre-feet of material injury predicted to have occurred in 2007. The Idaho Ground Water Appropriators, Inc. will not be required to provide the remaining 3,000 acre-feet until final accounting for the 2007 irrigation season is completed in early 2008, in anticipation that the final accounting could result in adjustment of this magnitude. After final accounting, the Director will order Idaho Ground Water Appropriators, Inc. to provide any balance remaining to the account of Twin Falls Canal Company.” *Seventh Supplemental Order* at 9.

On January 3, 2008, the Idaho Ground Water Appropriators, Inc. (“IGWA”) filed *IGWA’s Petition for Reconsideration of the Director’s Seventh Supplemental Order Amending Replacement Water Requirements and Request for an Extension of Time* (“Request”). The Request sought “an extension of time to provide the Director with a signed lease or leases for the additional water to compensate Twin Falls Canal Company for its alleged material injury in 2007.” *Request* at 3. The Request further stated that, “IGWA will provide the signed lease or leases to the Director on or before January 21, 2008. IGWA has a commitment from a lessor for this water, however, IGWA has not fully finalized the details of the lease and thus, requests more time to provide the final lease and response to the Director. IGWA has a board meeting scheduled for January 9, 2008, and the extension would allow IGWA and its board to consider the lease and work out details with the lessor and then provide the Director with a full and complete response.” *Id.*

The Director used January 7, 2008 in the Seventh Supplemental Order as the due date for IGWA’s submission of a signed lease or leases for water to compensate the Twin Falls Canal Company for material injury in 2007 because the Director thought that would provide sufficient

time for compliance. IGWA represented in its Request that it reasonably requires additional time to complete the lease process and that IGWA will “provide the signed lease or leases to the Director on or before January 21, 2008.”

**ORDER**

Based on the foregoing, and good cause appearing therefor, IGWA’s Request for an Extension of Time is GRANTED.

DATED this 7<sup>th</sup> day of January, 2008.

  
\_\_\_\_\_  
DAVID R. TUTHILL, JR.  
Director

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8<sup>th</sup> day of January, 2008, the above and foregoing, was served by the method indicated below, and addressed to the following:

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