

RECEIVED  
JUN 12 2009  
DEPARTMENT OF  
WATER RESOURCES

|                                                                                           |              |
|-------------------------------------------------------------------------------------------|--------------|
| DISTRICT COURT - SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |              |
| JUN 11 2009                                                                               |              |
| By _____                                                                                  | Clerk        |
| _____                                                                                     | Deputy Clerk |

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

|                |   |                                    |
|----------------|---|------------------------------------|
| In Re SRBA     | ) | Subcases 01-23B, 01-297, 35-2543   |
|                | ) | and 35-4246                        |
|                | ) | (Aberdeen-Springfield Canal Co.)   |
|                | ) |                                    |
| Case No. 39576 | ) | ORDER PARTIALLY GRANTING ABERDEEN- |
|                | ) | SPRINGFIELD'S MOTION FOR SUMMARY   |
|                | ) | JUDGMENT AND DENYING SURFACE WATER |
|                | ) | COALITION'S MOTION FOR SUMMARY     |
|                | ) | JUDGMENT AND MOTION TO STRIKE      |
|                | ) | AFFIDAVITS                         |

**Director's Reports**

01-23B – the Director of the Idaho Department of Water Resources filed his *Director's Report, Irrigation & Other Uses, IDWR Lower Basin 01* on May 15, 2006. The Director recommended the claim to the Aberdeen-Springfield Canal Company ("ASCC" or "Claimant"), P.O. Box 857, Aberdeen, Idaho, 83210, for 1,172.1 cfs from the Snake River for irrigation of 58,942 acres in Bingham County and recharge for irrigation for 21,094 acres from April 1 to October 31 with a priority date of February 6, 1895, based on a decree. Under quantity and place of use, the Director included the remark: "Diversion of rights 1-23B and 1-297 for the purpose of recharge for irrigation is authorized for a maximum of 501.8 cfs / 21,094 acres [emphasis added]." <sup>1</sup>

<sup>1</sup> Before and during the summary judgment hearing on April 30, 2009, it became apparent that the core issue in these proceedings is whether the Director properly included "recharge for irrigation" as a purpose of use in his recommendation of 01-23B. The other three ASCC claims were considered indirectly.

01-297 – the Director recommended this claim to ASCC for 230 cfs from the Snake River for the same uses with a priority date of April 1, 1939, based on a decree and with remarks similar to 01-23B.

35-2543 – the Director filed his *Director's Report for Irrigation and Other Uses, Reporting Area 5 (IDWR Basin 35)* on June 23, 1999. The Director recommended the claim to ASCC for 6 cfs from groundwater to irrigate 600 acres within the boundary of ASCC's place of use from April 1 to October 31 with a priority date of August 7, 1958, based on a license.

35-4246 – the Director recommended this claim to ASCC for 2.44 cfs from groundwater to irrigate 244 acres within the boundary of ASCC's place of use from April 1 to October 31 with a priority date of October 15, 1934, based on a license.

### Initial Objections

USDI/BLM – the United States of America, Department of Interior, Bureau of Land Management filed *Objections* in 01-23B and 01-297 on September 29, 2006, objecting to place of use.<sup>2</sup>

ASCC – ASCC filed *Objections* in 01-23B and 01-297 on October 5, 2006, objecting to place of use and other provisions.

USDI/BOR – the same date, the United States of America, Department of Interior, Bureau of Reclamation filed *Objections* in 01-23B and 01-297 objecting to place of use.

### Initial Response

USDI/BOR – the BOR filed a *Response* in 01-297 on December 7, 2006, concerning the “other provisions” element.

### Amended Claims

On June 21, 2007, ASCC was granted leave to amend its claims 01-23B, 01-297, 35-2543 and 35-4246 “to more accurately [identify] the place of use resulting in a larger number of acres than originally claimed.”

---

<sup>2</sup> Following the summary judgment hearing, ASCC and the BLM filed a *Stipulation to Resolve Objections* agreeing that the place of use “will be adjusted to exclude federal public lands where such a land use is not authorized by the managing federal agency in writing.”

## Amended Director's Reports

IDWR filed its *Amended Director's Reports, Subcase Nos. 01-23B, 01-297, 35-2543 & 35-4246* on March 25, 2008. In subcase 01-23B, although the recommended quantity of 1,172.1 cfs was unchanged, the Director amended or added to the following elements:

### PURPOSE OF USE:

Recharge for irrigation ~~501.800 cfs~~ 389.500 cfs

### PLACE OF USE:

~~58942 acres total~~ 61,772.6 acres total

Diversion of this right for the purpose of recharge for irrigation is authorized for a maximum of 17,161.6 acres [emphasis added].

### OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

....  
The administration of this right is further defined and set forth in the Settlement Agreement Regarding Aberdeen-Springfield Canal Company's Basin 01 Surface Water Rights and Consolidated SRBA Subcase No. 35-2315, recorded as instrument number 56378 in the Bingham County Recorder's Office, Blackfoot, Idaho [emphasis added].

### EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code [emphasis added].

## Objections to Amended Claims, Motion to Strike and Late Responses

On April 28, 2008, the Surface Water Coalition<sup>3</sup> filed *Objections* in 01-23B and 01-297 objecting to priority date, purpose of use, place of use and remarks. The same date, the Coalition, minus the Minidoka Irrigation District, filed *Objections* in 35-2543 and 35-4246 objecting to place of use and remarks.

On July 16, 2008, ASCC's *Motion to Strike Objections* in the four subcases was denied. The same date, the State of Idaho was granted leave to file late *Responses*: the State filed a *Response* in 01-23B on the elements of priority date, purposes of use, place of use and remarks; it filed *Responses* in 01-297, 35-2543 and 35-4246 on the elements of place of use and remarks.

---

<sup>3</sup> The Surface Water Coalition includes Twin Falls and North Side Canal Companies, A&B, Burley, Milner and Minidoka Irrigation Districts and American Falls Reservoir District #2.

## Motions for Summary Judgment

### ASCC

On March 26 and 27, 2009, ASCC filed its *Motion for Summary Judgment* in all four subcases along with its *Memorandum* and affidavits of Randall C. Budge, Steven T. Howser and Anthony Olenichak. It argued that there are no genuine issues as to any material facts and it is entitled to the water rights as recommended by IDWR based on the *prima facie* weight accorded the *Director's Reports*. I.C. §42-1411(4).

### Surface Water Coalition

On March 27, 2009, the Surface Water Coalition filed its *Objectors' Joint Motion for Summary Judgment* only in subcase 01-23B arguing "there are no genuine issues of material fact as to the 'recharge for irrigation' purpose of use element which was not included in ASCC's previously decreed water right and that purpose of use should be dismissed as a matter of law." It reasoned that water right 01-23B was decreed in the 1910 *Rexburg Decree* (incorporated into the court's "*Findings of Fact and Conclusions of Law*")<sup>4</sup> and affirmed in the 1969 *Eagle Supplemental Decree*<sup>5</sup> "for irrigation and other purposes" which preclude adding "recharge for irrigation" as a purpose of use.

### State's Brief in Response

The State of Idaho lodged its *Brief in Response to Claimants' Motion for Summary Judgment and Objectors' Motion for Summary Judgment* on April 16, 2009, in all four subcases. As the other parties eventually conceded, the State suggested the core issue in these four subcases is whether the Director's recommendation of 01-23B correctly includes "recharge for irrigation" as a purpose of use. The State concluded the Director correctly included recharge for irrigation because: 1) Idaho's accomplished transfer statute (I.C. §42-1425) authorizes IDWR to recognize a change in use if it occurred within certain limitations,<sup>6</sup> and 2) recharge for irrigation

---

<sup>4</sup> District Judge J.M. Stevens' *Decree, Rexburg Irrigation Co. v. Teton Irrigation Co.*, entered December 16, 1910.

<sup>5</sup> District Judge Willard C. Burton's *Supplemental Decree, Aberdeen-Springfield Canal Co. v. Henry Eagle, Watermaster, District #36*, entered March 12, 1969.

<sup>6</sup> I.C. §42-1425(2) authorizes a change in purpose of use of a water right before November 19, 1987 (commencement of the SRBA), "provided no other water rights existing on the date of the change were injured and the change did not result in an enlargement of the original right."

was recognized as a beneficial use well before enactment of Idaho's groundwater recharge statute (I.C. §42-234) in 1978.

### **Surface Water Coalition's Response**

The Surface Water Coalition filed its *Objectors' Response to Claimant's Motion for Summary Judgment* in all four subcases on April 16, 2009, along with the affidavit of Paul L. Arrington. It argued ASCC's *Motion for Summary Judgment* must fail because there are material issues of fact in dispute. For example, since recharge was not recognized as a beneficial use of water until 1978, ASCC could not have legally used the water for recharge at any time before 1978. Further, there remain factual issues of "when the 'recharge' use allegedly began, how the 'recharge' use was implemented within the place of use, how the quantity of 'recharge' was determined, how the 'recharge' use is monitored and how the 'recharge' use could have an 1895 priority date." *Objectors' Response*, at 3-4.

### **State's Exhibits**

On April 16, 2009, the State submitted its *List of Exhibits* including affidavits by former IDWR Director Karl J. Dreher, Senior Water Resource Agent Michael Holliday and Deputy Attorney General David J. Barber. Mr. Dreher wrote:

7. I concluded that the accomplished transfer was justified because ASCC shareholders continued to pay assessments and ASCC diverted the full amount of water authorized under water right number 1-23B in most years. Thus, a portion of the diversion provided incidental recharge to the Eastern Snake Plain Aquifer ("ESPA").

8. The change from irrigation to recharge for irrigation took place prior to November 19, 1987.

9. The accomplished change in purpose of use from irrigation to recharge for irrigation for a portion of ASCC's water rights did not injure other water rights or result in an enlargement because the amount of water ASCC diverted and consumptively used was no more than its historic diversion and consumptive use.

Dreher *Affidavit*, at 2-3.

Mr. Barber attached to his *Affidavit* seven documents including portions of the June, 1974 Idaho Water Resource Board publication, "State of Idaho, The Objectives, State Water Plan – Part One." Thirty-five years ago, the Board described one of its objectives – the beneficial and efficient water use:

OBJECTIVE: The policy of the Idaho Water Resource Board is to follow a broader definition of the term "beneficial use of water" to include all water uses, both consumptive and nonconsumptive (for example stream resource maintenance flows) and to seek implementation of those water resource projects and programs which provide for this definition through efficient water use practices.

Barber *Affidavit*, attachment 1, last page.

### ASCC's Answering Brief

ASCC lodged its *Answering Brief of Claimant* in subcase 01-23B on April 17, 2009, along with the *Second Affidavit of Steven T. Howser*. It argued that "recharge for irrigation" was properly recommended by the Director as a purpose of use as an accomplished transfer and that issue is properly submitted for determination on summary judgment as a matter of law.

ASCC explained the history behind and result of the 2002 Settlement Agreement referenced in "Other Provisions" in IDWR's March 25, 2008 *Amended Director's Reports*:

ASCC objected to over 100 Recommendations for ground water rights in Basin 35 (Consolidated Subcase 35-2315) asserting, among other things, that the source of supply for these ground water rights was in fact water owned by ASCC. . . . Following extensive negotiations, ASCC, IDWR and the State of Idaho entered into a *Settlement Agreement* [which] addressed and resolved ASCC's objections to the ground water rights . . . together with the future recommendations of the Department to the SRBA Court with respect to ASCC's surface water rights. The key terms of the Settlement Agreement are:

....  
• The Director's Report for the Basin 01 surface water rights would recommend "recharge for irrigation" as a purpose of use under the "accomplished transfer" provisions of Idaho Code §42-1425.

....  
• Once IDWR has filed its Recommendation for ASCC's Basin 01 water rights, ASCC will withdraw all objections associated with Consolidated Subcase No. 35-2315.

Consistent with the Settlement Agreement, Director's Reports were filed in 2005, 2006 and 2007, each reflecting "recharge for irrigation" as a purpose of use, along with a maximum number of acres for this purpose, as well as for irrigation purposes. None of these Recommendations were objected to by the Surface Water Coalition.

....  
There are no other objections to Water Right No. 1-23B.

....  
It is noteworthy that the Surface Water Coalition has not alleged that the addition of "recharge" as a purpose of use for Water Right No. 1-23B would result in any injury to their water rights nor result in an enlargement of ASCC rights, nor presented any facts that would support such a claim.

ASCC's *Answering Brief of Claimant*, at 3-5.

## Surface Water Coalition's 2<sup>nd</sup> Response

On April 23, 2009, the Surface Water Coalition filed its second response entitled *Objectors' Response to ASCC Canal Company's Motion for Summary Judgment*. This *Response* was submitted in part to request additional discovery if ASCC's *Motion for Summary Judgment* is denied. Particularly, it sought to depose former IDWR Director Dreher about his findings that the accomplished transfer from irrigation to recharge for irrigation 1) was justified, 2) took place before November 19, 1987, and 3) did not result in injury to other water rights or result in an enlargement.

The Coalition also wanted to depose IDWR Senior Water Resource Agent Michael Holliday about his conclusion that IDWR's recommendation was consistent with IDWR's understanding of the 2002 Settlement Agreement and its terms. The Coalition questioned the authority of IDWR to recommend a purpose of use (recharge for irrigation) not claimed by a claimant and whether ASCC's claim amounts to "incidental recharge" which may not be used as the basis for claim of a separate or expanded water right. I.C. §42-234(3).

Finally, the Coalition argued that if its *Motion for Summary Judgment* is denied, the Court must remand the matter to IDWR for further hearing on its recommended accomplished transfer "to determine whether the change injured a water right existing on the date of the change or constituted an enlargement of the original right." I.C. §42-1425(2)(a). The Coalition wrote that Mr. Dreher's statements in his *Affidavit* that no injury occurred and that there was no enlargement of 01-23B on the date of change in purpose of use are not supported by facts in the record.

## Surface Water Coalition's Reply

The Surface Water Coalition filed its *Reply in Support of Joint Motion for Summary Judgment* and the *Affidavit of Travis L. Thompson* on April 23, 2009. It argued:

First, while a Director's Report establishes a presumption as to the elements of the water right . . . that presumption does not automatically result in a partial decree when objections are filed. Furthermore, it does not, as ASCC implies, establish as a foregone conclusion that the Director's Report will, or should, be adopted, particularly when there is no legal basis for the recommended "recharge for irrigation" purpose of use.

....

In summary, the Director cannot recommend a water right with a beneficial use that was not recognized at the alleged time of development. ASCC's prior decrees are explicit which confirm ASCC's right to use water right 1-23B for "irrigation" purpose only. Here, ASCC claims it was using its surface water right for "recharge" as many as 44 years before that purpose was recognized as a beneficial use in Idaho. This argument cannot withstand scrutiny and is inconsistent with the water right claims filed by ASCC with this Court (claiming "irrigation" only for water right 1-23B).

Surface Water Coalition *Reply*, at 2 and 4.

### **Surface Water Coalition's Motion to Strike Affidavits**

The Surface Water Coalition filed its *Objection to and Motion to Strike Affidavits* on April 23, 2009. It sought to strike certain affidavits filed by the State, including affidavits of Karl Dreher, Steven Howser and Michael Holliday, because they lack foundation, are not admissible in evidence and do not comply with the requirements of I.R.C.P. 56(e). It argued: "Conclusory statements that do not provide the kind of specific, admissible facts that will either support or prevent entry of summary judgment do not satisfy either the requirements of admissibility or competency under Rule 56(e)." Surface Water Coalition *Objection*, at 2-3, citing *Hecla Min. Co. v. Star-Morning Min. Co.*, 122 Idaho 778, 786, 839 P.2d 1192, 1200 (1992).

### **State's Brief in Response**

The State lodged its *Brief in Response to Objector's Motion to Strike Affidavits of Karl J. Dreher and Michael Holliday* on April 29, 2009, along with *Idaho Exhibit 4: Affidavit of Karl J. Dreher Dated April 29, 2009*. The State suggested arguments that Mr. Dreher's first *Affidavit* and Mr. Holliday's *Affidavit* are inadmissible for lack of foundation are misplaced:

[IDWR's] records are admissible in evidence as business records or public records if duly certified by the custodian of the records. Furthermore, Director Dreher was charged as a matter of law with the gathering and overseeing of these records at the time of the settlement agreement. Since such records of IDWR are relied upon by the Director in performance of his duty as a technical expert in this legal proceeding, it was appropriate for Director Dreher to rely upon such data as the basis for his statements in the affidavit. Second, Director Dreher's statements constitute opinion testimony that is permissible for a person qualified as an expert and were done in furtherance of his duties as Director of the IDWR.

....

Mr. Holliday earlier testified in his affidavit that he was a senior water resource agent, that he made these statements based on personal knowledge, and he

prepared the recommendation for water right no. 1-00023B. . . . Simply put, this statement is a factual statement based on what he did based on his personal knowledge. That statement is admissible.  
State's *Brief in Response*, at 4-5.

### **Hearing and Order Vacating Trial**

A hearing on the *Motions for Summary Judgment* filed by ASCC and the Surface Water Coalition, plus the Coalition's *Objection to and Motion to Strike Affidavits* was held on April 30, 2009, at the SRBA Courthouse in Twin Falls, Idaho. Randall C. Budge appeared for ASCC; Travis L. Thompson and W. Kent Fletcher appeared for various members of the Surface Water Coalition; David J. Barber appeared for the State; David L. Negri appeared for the BLM, along with Fredric W. Price; David W. Gehlert appeared for the BOR; and Garrick L. Baxter appeared for IDWR, along with Ray Williams.

After the hearing when the matters were taken under advisement, the Special Master entered an *Order Vacating Trial Schedule* because it appeared there are no genuine issues as to any material facts and the matters would likely be decided solely on the current filings. See *Order* dated May 12, 2009.

### **ASCC's Reply Brief**

ASCC lodged its *Claimant's Summary Judgment Reply Brief* on May 4, 2009, arguing the Court can render summary judgment in its favor on all objections in all four subcases. It concluded:

Whatever curiosities the Objectors may have concerning ASCC's water rights 1-23B, 1-297, 35-2543 and 35-4246, they have not come forward with evidence that contradicts the director's report and creates a genuine issue of material fact for trial. Nor have the Objectors' [sic] raised legal objections to water rights 1-297, 35-2543 and 35-4246, which should therefore all be resolved on summary judgment consistent with the director's report. The only issue before this Court pertains to the legal question of whether the water right 1-23B should be partially decreed to include . . . "recharge for irrigation" as a purpose of use as recommended in the director's report. The record in this case is undisputed that recharge is a beneficial use of water and that ASCC has complied with the accomplished transfer requirements of Idaho Code § 42-1425. Therefore, water right 1-23B should also be resolved on summary judgment consistent with the director's report.

ASCC's *Reply Brief*, at 9-10.

## Discussion

Counsel for the State correctly identified the core issues in these proceedings: 1) whether recharge for irrigation was recognized as a beneficial use of water in Idaho before enactment of its groundwater recharge statute in 1978, and 2) whether a portion of ASCC's diversion from the Snake River decreed "for irrigation and other purposes" was lawfully changed to "recharge for irrigation" with a priority date of February 6, 1895. The answer to both questions is, "yes."

### Recharge for Irrigation

The Surface Water Coalition argued the answers should be, "no." It said the IDWR Director could not lawfully recommend claim 1-23B with a "recharge for irrigation" remark because such a use was not recognized as a beneficial use of water in Idaho until 1978, presumably well after the accomplished transfer occurred. Hence, by its argument, ASCC is left with a water right "for irrigation and other uses"<sup>7</sup> that does not include recharge.

The one objective of the Idaho Water Resource Board quoted earlier ("beneficial and efficient water use") strongly suggests that as early as 1974, the State considered recharge as a beneficial use of water: "All new water uses, both consumptive and nonconsumptive such as irrigation, municipal, industrial, power, mining, fish and wildlife, recreation, aquatic life, and water quality will be judged to have equal desirability as beneficial uses. . . ." Barber *Affidavit*, attachment 1, last page. In other words, beneficial use was not limited to the four preferred uses: domestic, agricultural, manufacturing and mining. Idaho Const. art XV, § 3.

It takes no stretch of the imagination to conclude that Idaho has historically considered recharge a beneficial and efficient use of water since the use contributes to efficient water use practices, particularly where groundwater sources are shrinking. Idaho has simply chosen to define beneficial use through the lens of efficient water use practices, not solely according to past or current practices. What may be considered beneficial use today may be considered wasteful tomorrow and vice versa. The fact that Idaho enacted a groundwater recharge statute in 1978 in no way signifies it declined to recognize recharge as a beneficial use before then, especially in light of the Idaho Water Resource Board's stated objective in 1974.

---

<sup>7</sup> None of the parties argued "other purposes" includes "recharge for irrigation."

## **Accomplished Transfer**

The issue of whether the Director properly recommended that a portion of ASCC's irrigation water right was lawfully changed to recharge for irrigation use seems clear. Based on ASCC's historical diversions of surface water, its shareholders' consistent payments of assessments and the shareholders' groundwater claims, the Director reasonably found that "a portion of the diversion provided incidental recharge to the Eastern Snake Plain Aquifer." Given that record, the Director then found that the change took place before November 19, 1987, there was no injury to other water users and there was no enlargement of ASCC's diversion and consumptive use. Thus, the requirements of Idaho's accomplished transfer statute were met and the Director properly recommended inclusion of the recharge for irrigation use.

ASCC correctly noted that the Surface Water Coalition offered no evidence of injury or enlargement of the diversion and consumptive use, only speculation. The Surface Water Coalition's suggestion that the matter be remanded to the Director "for further hearing to determine whether the change injured a water right existing on the date of the change or constituted an enlargement of the original right [I.C. § 42-1425(2)(a)]" lacks merit because no one has claimed injury or enlargement and besides, the Director has already submitted his report with his findings and conclusions. Another hearing would only serve to delay final resolution of the claim.

## **Affidavits**

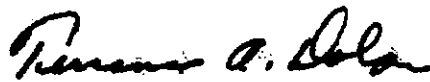
As to the Surface Water Coalition's *Motion to Strike Affidavits*, the State's *Brief in Response* provided the answers. IDWR's records are admissible in evidence as business or public records; the Director gathered and oversaw such records and proceedings at the time of the 2002 Settlement Agreement; the Director has been designated as an "independent expert and technical assistant" in the SRBA (I.C. § 42-1401B); the Director's statements constitute opinion testimony of an expert in furtherance of his duties; and Senior Water Resource Agent Michael Holliday's statements were based on his personal knowledge. For those reasons, the *Affidavits* are admissible.

### Conclusions of Law

1. There are no genuine issues as to any material facts;
2. ASCC is entitled to partial summary judgment as a matter of law in subcases 01-23B and 01-297;
3. The Surface Water Coalition is **not** entitled to judgment as a matter of law in subcase 01-23B; and
4. The *Affidavits* of Karl J. Dreher and Michael Holliday are admissible.

### Orders

1. ASCC's *Motion for Summary Judgment* is **granted, in part**, as to subcases 01-23B and 01-297. The Special Master will file reports and recommendations in those two subcases in due course contingent upon resolution of the BOR's *Objections* and potential interim filings by the parties and IDWR. Subcases 35-2543 and 35-4246 will be held in abeyance pending resolution of consolidated subcase 35-2315.
  2. The Surface Water Coalition's *Objectors' Joint Motion for Summary Judgment* in subcase 01-23B is **denied**.
  3. The Surface Water Coalition's *Motion to Strike Affidavits* is **denied**.
- DATED June 11, 2009.



Terrence A. Dolan  
Special Master  
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER ON SUMMARY JUDGMENT AND MOTION TO STRIKE was mailed on June 11, 2009, with sufficient first-class postage to the following:

NORTH SIDE CANAL CO LTD

Represented by:  
BARKER, ROSHOLT & SIMPSON LLP  
113 MAIN AVE W, STE 303  
PO BOX 485  
TWIN FALLS, ID 83303-0485  
Phone: 208-733-0700

AMERICAN FALLS RESERVOIR

Represented by:  
C THOMAS ARKOOSH  
301 MAIN ST  
PO BOX 32  
GOODING, ID 83330  
Phone: 208-934-8872

STATE OF IDAHO

Represented by:  
NATURAL RESOURCES DIV CHIEF  
STATE OF IDAHO  
ATTORNEY GENERAL'S OFFICE  
PO BOX 44449  
BOISE, ID 83711-4449

ABERDEEN-SPRINGFIELD CANAL CO

Represented by:  
RANDALL C BUDGE  
201 E CENTER, STE A2  
PO BOX 1391  
POCATELLO, ID 83204-1391  
Phone: 208-232-6101

A & B IRRIGATION DISTRICT  
BURLEY IRRIGATION DISTRICT  
MILNER IRRIGATION DISTRICT  
TWIN FALLS CANAL COMPANY

Represented by:  
TRAVIS L THOMPSON  
113 MAIN AVE W, STE 303  
PO BOX 485  
TWIN FALLS, ID 83303-0485  
Phone: 208-733-0700

UNITED STATES OF AMERICA

USDI BLM  
USDI BUREAU OF RECLAMATION  
Represented by:  
US DEPARTMENT OF JUSTICE  
ENVIRONMENT & NATL' RESOURCES  
550 WEST FORT STREET, MSC 033  
BOISE, ID 83724

MINIDOKA IRRIGATION DISTRICT

Represented by:  
W KENT FLETCHER  
1200 OVERLAND AVE  
PO BOX 248  
BURLEY, ID 83318  
Phone: 208-678-3250

DIRECTOR OF IDWR

PO BOX 83720  
BOISE, ID 83720-0098

