

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 84613**

This is to certify that: MERRILL RANCH PARTNERSHIP LLC
C/O GLEN MERRILL MGR
PO BOX 22
SWANLAKE, ID 83281

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
13-57	WR/DECREED	5/1/1873	0.500 cfs	13.6 af	N/A	168.4	STOCKTON CREEK
13-885B	WR/DECREED	6/1/1879	1.400 cfs	N/A	N/A	744.0	COTTONWOOD CREEK
13-886B	WR/DECREED	6/1/1887	1.050 cfs	N/A	N/A	744.0	COTTONWOOD CREEK
13-887B	WR/DECREED	6/1/1895	0.980 cfs	N/A	N/A	744.0	COTTONWOOD CREEK
13-889D	WR/DECREED	1/1/1904	7.000 cfs	N/A	N/A	744.0	COTTONWOOD CREEK

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
13-57	NO	YES	YES	NO	NO	NO
13-885B	NO	YES	YES	NO	NO	NO
13-886B	NO	YES	YES	NO	NO	NO
13-887B	NO	YES	YES	NO	NO	NO
13-889D	NO	YES	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
13-57	13-57	0.500 cfs	N/A	168.4	610.4	N/A	N/A	N/A	N/A	N/A
13-885B	13-885B	1.400 cfs	N/A	442.0	610.4	N/A	N/A	N/A	N/A	N/A
13-886B	13-886B	1.050 cfs	N/A	442.0	610.4	N/A	N/A	N/A	N/A	N/A
13-887B	13-887B	0.980 cfs	N/A	442.0	610.4	N/A	N/A	N/A	N/A	N/A
13-889D	13-889D	7.000 cfs	N/A	442.0	610.4	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		10.930 cfs	N/A	610.4	610.4		N/A	N/A	N/A	N/A

Transfer No. 84613

**Support Data
In File # 13-57**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 84613

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 19th day of November, 2021.



Regional Manager



Transfer No. 84613

Support Data
In File # 13-57

WATER RIGHT NO. 13-885B
As Modified by Transfer No. 84613

In accordance with the approval of Transfer No. 84613, Water Right No. 13-885B is now described as follows:

Right Holder: MERRILL RANCH PARTNERSHIP LLC
C/O GLEN MERRILL MGR
PO BOX 22
SWANLAKE, ID 83281

Priority Date: 6/1/1879

Source: COTTONWOOD CREEK **Tributary:** BEAR RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/20	to 09/30	1.400 cfs 1.400 cfs

LOCATION OF POINT(S) OF DIVERSION

COTTONWOOD CREEK	SWNE	Sec 33 Twp 12S Rge 39E	BANNOCK County (I)
COTTONWOOD CREEK	SESE	Sec 8 Twp 12S Rge 39E	BANNOCK County
COTTONWOOD CREEK	SENE	Sec 6 Twp 13S Rge 39E	BANNOCK County (R)

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	38E	11				3.0									5.5			9.5	18.0
13S	38E	12	7.5	1.5	14.0	17.0			2.5		27.0	22.0	37.0	36.0	3.0	31.0	17.0		215.5
13S	38E	13		14.0			22.0	30.0	33.0	8.5		15.0							122.5
13S	38E	14	32.0	24.0	33.0	30.0	2.5	4.2	2.2	5.0	5.5				35.0	19.0			192.4
13S	38E	14						17	4										21
								L 3	L 2										
13S	39E	6											7						7
													L 7						
13S	39E	7						26.0	8.0										34.0
								L 1	L 2										

Right Acre Limit: 442.0
POU Total Acres: 610.4

CONDITIONS OF APPROVAL

1. Rights 13-885B, 13-886B, 13-887B and 13-889D when combined shall not exceed the irrigation of 442 acres.
2. Rights 13-885B, 13-886B, 13-887B, 13-889D and 13-57 when combined shall not exceed the irrigation of 610.4 acres.

Transfer No. 84613

WATER RIGHT NO. 13-885B
As Modified by Transfer No. 84613

CONDITIONS OF APPROVAL

3. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 13M.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
6. This right does not grant any right-of-way or easement across the land of another.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 13-886B
As Modified by Transfer No. 84613

In accordance with the approval of Transfer No. 84613, Water Right No. 13-886B is now described as follows:

Right Holder: MERRILL RANCH PARTNERSHIP LLC
C/O GLEN MERRILL MGR
PO BOX 22
SWANLAKE, ID 83281

Priority Date: 6/1/1887

Source: COTTONWOOD CREEK

Tributary: BEAR RIVER

BENEFICIAL USE
IRRIGATION

From
04/20

To
to 09/30

Diversion Rate
1.050 cfs
1.050 cfs

LOCATION OF POINT(S) OF DIVERSION

COTTONWOOD CREEK	SWNE	Sec 33 Twp 12S Rge 39E	BANNOCK County	(I)
COTTONWOOD CREEK	SESE	Sec 8 Twp 12S Rge 39E	BANNOCK County	
COTTONWOOD CREEK	SENE	Sec 6 Twp 13S Rge 39E	BANNOCK County	(R)

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	38E	11				3.0									5.5			9.5	18.0
13S	38E	12	7.5	1.5	14.0	17.0			2.5		27.0	22.0	37.0	36.0	3.0	31.0	17.0		215.5
13S	38E	13		14.0			22.0	30.0	33.0	8.5		15.0							122.5
13S	38E	14	32.0	24.0	33.0	30.0	2.5	4.2	2.2	5.0	5.5				35.0	19.0			192.4
13S	38E	14						17	4										21
								L 3	L 2										
13S	39E	6											7						7
													L 7						
13S	39E	7						26.0	8.0										34.0
								L 1	L 2										

Right Acre Limit: 442.0

POU Total Acres: 610.4

CONDITIONS OF APPROVAL

1. Rights 13-885B, 13-886B, 13-887B and 13-889D when combined shall not exceed the irrigation of 442 acres.
2. Rights 13-885B, 13-886B, 13-887B, 13-889D and 13-57 when combined shall not exceed the irrigation of 610.4 acres.

Transfer No. 84613

WATER RIGHT NO. 13-886B
As Modified by Transfer No. 84613

CONDITIONS OF APPROVAL

3. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 13M.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
6. This right does not grant any right-of-way or easement across the land of another.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 13-887B
As Modified by Transfer No. 84613

In accordance with the approval of Transfer No. 84613, Water Right No. 13-887B is now described as follows:

Right Holder: MERRILL RANCH PARTNERSHIP LLC
 C/O GLEN MERRILL MGR
 PO BOX 22
 SWANLAKE, ID 83281

Priority Date: 6/1/1895

Source: COTTONWOOD CREEK **Tributary:** BEAR RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/20	to 09/30	0.980 cfs 0.980 cfs

LOCATION OF POINT(S) OF DIVERSION

COTTONWOOD CREEK	SWNE	Sec 33 Twp 12S Rge 39E	BANNOCK County (I)
COTTONWOOD CREEK	SESE	Sec 8 Twp 12S Rge 39E	BANNOCK County
COTTONWOOD CREEK	SENE	Sec 6 Twp 13S Rge 39E	BANNOCK County (R)

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	38E	11				3.0									5.5			9.5	18.0
13S	38E	12	7.5	1.5	14.0	17.0			2.5		27.0	22.0	37.0	36.0	3.0	31.0	17.0		215.5
13S	38E	13		14.0			22.0	30.0	33.0	8.5		15.0							122.5
13S	38E	14	32.0	24.0	33.0	30.0	2.5	4.2	2.2	5.0	5.5				35.0	19.0			192.4
13S	38E	14						17	4										21
								L 3	L 2										
13S	39E	6											7						7
													L 7						
13S	39E	7						26.0	8.0										34.0
								L 1	L 2										

Right Acre Limit: 442.0
 POU Total Acres: 610.4

CONDITIONS OF APPROVAL

1. Rights 13-885B, 13-886B, 13-887B and 13-889D when combined shall not exceed the irrigation of 442 acres.
2. Rights 13-885B, 13-886B, 13-887B, 13-889D and 13-57 when combined shall not exceed the irrigation of 610.4 acres.

Transfer No. 84613

WATER RIGHT NO. 13-887B
As Modified by Transfer No. 84613

CONDITIONS OF APPROVAL

3. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 13M.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
6. This right does not grant any right-of-way or easement across the land of another.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 13-889D
As Modified by Transfer No. 84613

In accordance with the approval of Transfer No. 84613, Water Right No. 13-889D is now described as follows:

Right Holder: MERRILL RANCH PARTNERSHIP LLC
C/O GLEN MERRILL MGR
PO BOX 22
SWANLAKE, ID 83281

Priority Date: 1/1/1904

Source: COTTONWOOD CREEK **Tributary:** BEAR RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/20	to 09/30	7.000 cfs 7.000 cfs

LOCATION OF POINT(S) OF DIVERSION

COTTONWOOD CREEK	SWNE	Sec 33 Twp 12S Rge 39E	BANNOCK County (I)
COTTONWOOD CREEK	SESE	Sec 8 Twp 12S Rge 39E	BANNOCK County
COTTONWOOD CREEK	SENE	Sec 6 Twp 13S Rge 39E	BANNOCK County (R)

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	38E	11				3.0									5.5			9.5	18.0
13S	38E	12	7.5	1.5	14.0	17.0			2.5		27.0	22.0	37.0	36.0	3.0	31.0	17.0		215.5
13S	38E	13		14.0			22.0	30.0	33.0	8.5		15.0							122.5
13S	38E	14	32.0	24.0	33.0	30.0	2.5	4.2	2.2	5.0	5.5				35.0	19.0			192.4
13S	38E	14						17	4										21
								L 3	L 2										
13S	39E	6										7							7
												L 7							
13S	39E	7						26.0	8.0										34.0
								L 1	L 2										

Right Acre Limit: 442.0
POU Total Acres: 610.4

CONDITIONS OF APPROVAL

1. Rights 13-885B, 13-886B, 13-887B and 13-889D when combined shall not exceed the irrigation of 442 acres.
2. Rights 13-885B, 13-886B, 13-887B, 13-889D and 13-57 when combined shall not exceed the irrigation of 610.4 acres.

Transfer No. 84613

WATER RIGHT NO. 13-889D
As Modified by Transfer No. 84613

CONDITIONS OF APPROVAL

3. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 13M.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
6. This right does not grant any right-of-way or easement across the land of another.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 13-57**As Modified by Transfer No. 84613**

In accordance with the approval of Transfer No. 84613, Water Right No. 13-57 is now described as follows:

Right Holder: MERRILL RANCH PARTNERSHIP LLC
C/O GLEN MERRILL MGR
PO BOX 22
SWANLAKE, ID 83281

Priority Date: 5/1/1873

Source: STOCKTON CREEK

Tributary: OXFORD SLOUGH

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
AESTHETIC STORAGE	01/01	to 12/31		13.6 af
DIVERSION TO STORAGE	01/01	to 12/31	0.020 cfs	
IRRIGATION	01/01	to 12/31	0.480 cfs	
			0.500 cfs	

LOCATION OF POINT(S) OF DIVERSION

STOCKTON CREEK SENW Sec 6 Twp 13S Rge 39E BANNOCK County

PLACE OF USE: AESTHETIC STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	38E	13						X											

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	38E	11				3.0									5.5			9.5	18.0
13S	38E	12	7.5	1.5	14.0	17.0			2.5		27.0	22.0	37.0	36.0	3.0	31.0	17.0		215.5
13S	38E	13			14.0		22.0	30.0	33.0	8.5		15.0							122.5
13S	38E	14	32.0	24.0	33.0	30.0	2.5	4.2	2.2	5.0	5.5				35.0	19.0			192.4
13S	38E	14						17	4										21
								L 3	L 2										
13S	39E	6										7							7
												L 7							
13S	39E	7						26.0	8.0										34.0
								L 1	L 2										

Right Acre Limit: 168.4

POU Total Acres: 610.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 168.4 acres within the authorized place of use in a single irrigation season.

Transfer No. 84613

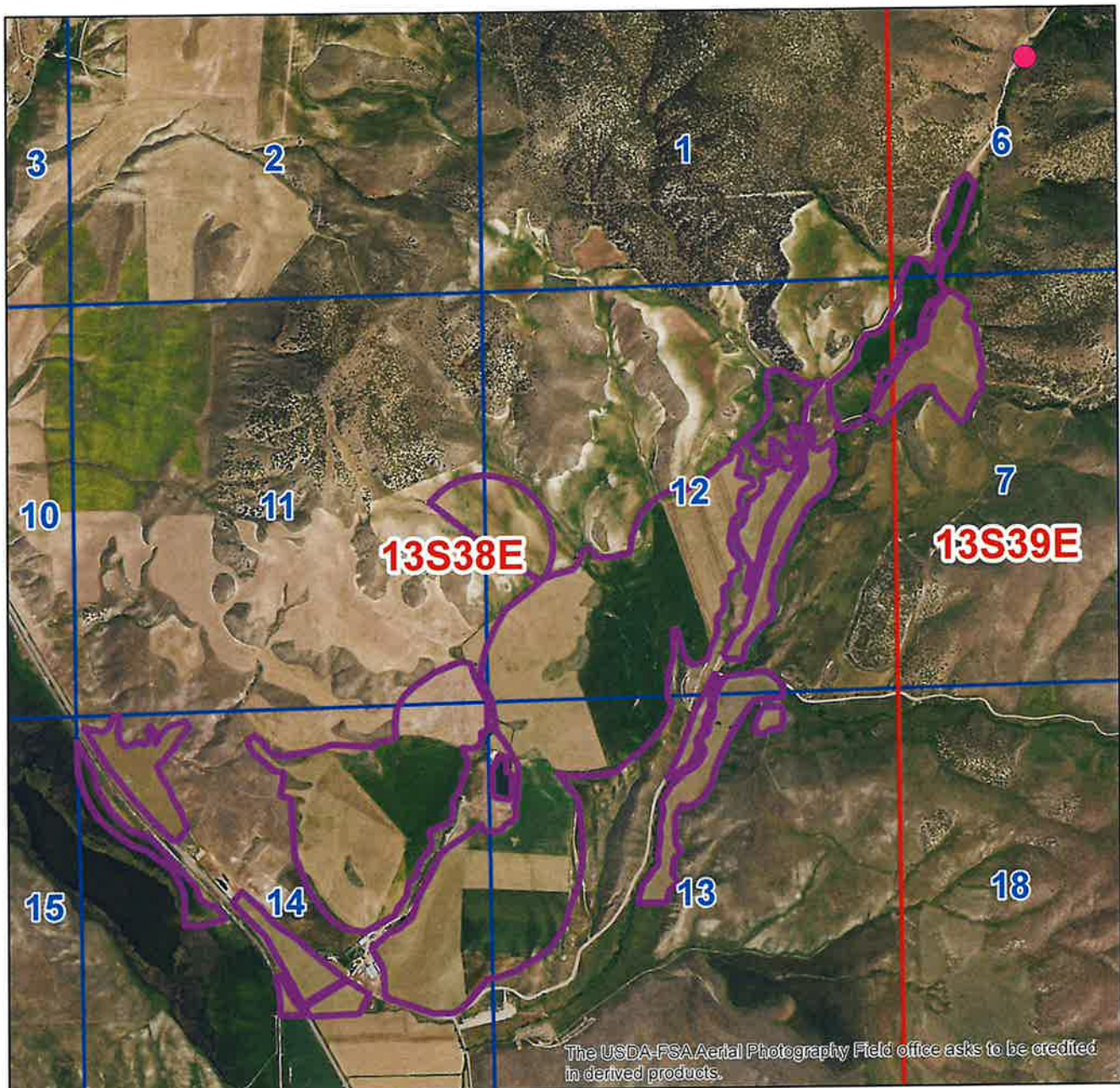
WATER RIGHT NO. 13-57
As Modified by Transfer No. 84613

CONDITIONS OF APPROVAL

2. Rights 13-885B, 13-886B, 13-887B, 13-889D and 13-57 when combined shall not exceed the irrigation of 610.4 acres.
3. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 13M.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. Right 13-57 authorizes the diversion of 0.02 cfs and an annual diversion volume of 13.6 acre-feet to be used for the initial filling of the pond and for the replacement of losses caused by evaporation.
6. The pond established by the storage of water under this right shall not exceed a total capacity of 10.0 acre-feet or a total surface area of 2.5 acres.
7. The right holder shall install and maintain an impermeable liner in the pond to eliminate seepage losses.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Attachment to Transfer Approval 84613

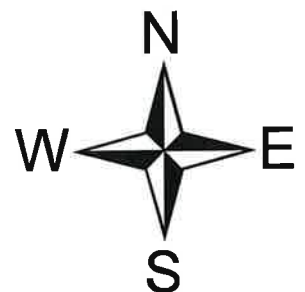
This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

- WR POD
- WR POU
- Township/Range
- Sections

0 1,125 2,250 4,500 Feet



Date: 11/19/2021



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

November 19, 2021

MERRILL RANCH PARTNERSHIP LLC
C/O GLEN MERRILL MGR
PO BOX 22
SWANLAKE ID 83281

Re: Transfer No: 84613
Water Right No(s): 13-57, 13-885B , 13-886B , 13-887B , 13-889D

Transfer Approval Notice

Dear Water Right Holder:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 525-7161.

Sincerely,



Christina Henman
Administrative Assistant

□

Enclosure

CC
BLM, IDAHO STATE OFFICE
C/O FRED PRICE
1387 S. VINNELL WAY
BOISE, IDAHO 83709-1657

CERTIFICATE OF SERVICE

I hereby certify that on November 19, 2021 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 84613

Water Right No(s): 13-57, 13-885B , 13-886B , 13-887B , 13-889D

**MERRILL RANCH PARTNERSHIP LLC
C/O GLEN MERRILL MGR
PO BOX 22
SWANLAKE ID 83281**

**BLM, IDAHO STATE OFFICE
C/O FRED PRICE
1387 S. VINNELL WAY
BOISE, IDAHO 83709-1657**



**Christina Henman
Administrative Assistant**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

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

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

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.