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WATER RESOURCES
WESTERN REGION

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

IN THE MATTER OF APPLICATION FOR
PERMIT NO. 63-34614 IN THE NAME OF
MICRON TECHNOLOGY INC.

**DITCH COMPANIES' RESPONSE TO SUEZ'S
MOTION FOR PARTIAL SUMMARY
JUDGMENT CONCERNING CONDITION 908**

COMES NOW, the Ditch Companies,¹ by and through their attorneys of record Sawtooth Law Offices, PLLC, and hereby submit this Response to Suez's *Motion for Partial Summary Judgment Concerning Condition 908* ("Motion").

**I.
INTRODUCTION**

On July 2, 2020, SUEZ Water Idaho Inc. ("Suez") submitted a motion for partial summary judgment contending that the condition known as "Condition 908" should no longer be imposed upon new Boise River permits and licenses and that instead the Department should redundantly

¹ The Protestant "Ditch Companies" include Ballentyne Ditch Company, Boise Valley Irrigation Ditch Company, Canyon County Water Company, Eureka Water Company, Farmers' Co-operative Ditch Company, Middleton Mill Ditch Company, Middleton Irrigation Association, Inc., Nampa & Meridian Irrigation District, New Dry Creek Ditch Company, Pioneer Ditch Company, Pioneer Irrigation District, Settlers Irrigation District, South Boise Water Company, and Thurman Mill Ditch Company.

recite that new permits or licenses are subordinated to water right no. 63-33734B (“Refill 2”) and that it may be subordinated to water right no. 66-33734A (“Refill 1”) depending upon whether it falls in one of the “carve out” provisions stated in Refill 1. That said, Suez acknowledges that its Motion is moot *vis-à-vis* the pending Application for Permit should the Applicant/Micron agree, as it has in this case, to condition its permit/license with Condition 908 or some other negotiated version of Condition 908. However, Suez’s Motion continues, asserting that Condition 908 should not be automatically imposed upon future appropriations from the Boise River. Whether this additional Suez assertion is appropriate for consideration and resolution in the context of this discrete application proceeding is questionable.

The Ditch Companies’ position with regard to Suez’s Motion and the utility of Condition 908 is as follows:

1. Condition 908, or a substantially similar version, continues to have utility in light of the Refill Settlement as a necessary explanation/condition on new Boise River permits and licenses for the exercise, administration and accounting of the new permits/licenses. The Department has recently imposed Condition 908 on Elmore County’s permit no. 63-34348 and it has recently stated that it will use the condition to “flag” water rights in its accounting program to identify such rights and for the watermaster to develop a process for when such rights are exercised;
2. The Ditch Companies agree with Suez that Condition 908 can and should be modified in light of the Refill Settlement and thus propose a modified Condition 908 to address the Refill Settlement, namely the “carve out” provisions of Refill 1, and such modified Condition 908 has been proposed to the Applicant/Micron in

this matter and has been “tentatively” agreed to by Micron, the Ditch Companies and the Boise Project Board of Control;

3. The replacement provisions to Condition 908 suggested by Suez do not assist with the explanation or administration of new Boise River water rights and instead simply restate existing law and/or incorporate by reference provisions already contained in Refill 1 (*i.e.*, Suez’s proposals offer little to no explanatory clarification, rather they require one to obtain and wade through the language of Refill 1 and Refill 2 in an attempt to discern diversion availability benchmarks that Condition 908 (or the Ditch Companies’ proposed variants) expressly provide); and
4. The Ditch Companies contend that the modified Condition 908, which has been agreed to by the Applicant/Micron, is appropriate and should be utilized on future or pending applications from the Boise River, but in the alternative, and as acknowledged by Suez, Micron is free to agree to conditions on its permit/license and the Department can and should impose such a condition on Application for Permit No. 63-34614.²

II. ARGUMENT

A. A Version of Condition 908 Continues to be Necessary (and Valuable) for the Explanation and Administration of New Boise River Water Rights

The history of Condition 908 is detailed in the “Staff Memo” issued by the Department on January 31, 2020, and attached to Suez’s Memorandum as Appendix B. The Staff Memo identified

² A copy of the draft Stipulation between Micron, the Ditch Companies and the Boise Project Board of Control is attached to this Response as **Exhibit 1** for the Department’s ease of reference. The Stipulation is a draft or “tentatively” approved because the parties have not received final approval of their respective clients and they would like confirmation from the Department that the Conditions are acceptable to the Department given Suez’s Motion.

fifteen (15) rights with Condition 908 with the most recent being imposed on Elmore County's permit no. 63-34348.³ The Staff Memo further provides that the Department is, pursuant to the terms of the Refill Settlement: (1) identifying water rights containing conditions related to flood control releases (*i.e.*, water rights with Condition 908); (2) developing a method to "flag" the rights with Condition 908 in the accounting program to implement the flood control conditions; and (3) developing a process for the Boise River watermaster to determine when flood control releases are occurring.⁴ Thus, the Department itself has confirmed the ongoing utility of Condition 908 in the implementation and future administration or accounting of new permits/licenses on the Boise River. The Department intends to utilize Condition 908 at a minimum to "flag" water rights with flood control conditions.

This ongoing utility finding is further solidified by the February 27, 2020 Memorandum issued by Matt Anders, attached to the Suez Memorandum as Appendix C, which states that the Department has: (1) "identified all water rights that it is aware of with conditions related to flood control releases" (*i.e.*, Condition 908); (2) "developed a process for the watermaster to authorize these water rights to fulfill" the Refill Settlement; and (3) "added new code to the water right accounting program to implement the specific flood control condition(s) on water rights to fulfill this stipulation."⁵ Thus, the Department further outlined the utility of Condition 908 and its implementation in the accounting program to flag such rights and for the watermaster to administer such rights in accordance with the Refill Stipulation. A version of Condition 908 remains

³ See Staff Memo, p. 6 and Table 1.

⁴ *Id.*

⁵ See Anders Memo, p. 6.

necessary to identify or flag such rights and is helpful for the administration and accounting of new permits or licenses on the Boise River.⁶

⁶ The Department has the authority under Idaho Code section 42-203A(5) to approve a new permit and impose necessary conditions. Conditions may include remarks/conditions necessary to define the right, useful for clarifying any element of a right, or for administering a right. *See* IDAHO CODE § 42-1411(2)(j). Here, as it has been continually used in the past, Condition 908 clarifies for the user, the Department, and the watermaster when the right may be exercised which is necessary for the definition and administration of the right. Condition 908 does so by linking exercise of the rights to the physical act of flood control releases, which releases signal water use availability while the base storage rights are still in priority and filling “on paper,” as well as when uses subordinate to Refill 1 may also divert water. The physical act of flood control releases, and linking language, provides water users and the watermaster with helpful clarification and context for purposes of administering the right while also protecting the physical filling of the Boise River Reservoirs (Lucky Peak, Arrowrock, and Anderson Ranch).

For its part, Suez contends that Condition 908’s reference to “on flood release below Lucky Peak dam/outlet” is ambiguous. *Memo*, pp. 12-14. Suez interprets the language to generically mean a time of year (“from January 1 of each year and continues either through July 31 or the day of allocation (the date of maximum [physical] fill, whichever is earlier”), rather than the physical act of releasing unused water (that not stored in the first place/contemporaneous pass-through flow and/or stored water that is later evacuated from storage to make space in the reservoir system to accommodate and regulate forecasted runoff to meet downstream flow targets). *Id.*, pp. 13-14. Suez seeks additional Department clarification regarding this ambiguity. *Id.*, pp. 22-23.

To the extent the Department accepts Suez’s invitation to issue an advisory opinion regarding the broader meaning of Condition 908 as applied to water rights not a part of this proceeding, and to be clear: the Ditch Companies disagree with Suez’s perceived ambiguity. And, the Water District 63 Watermaster does as well. *See* Anders Memo, p. 4 (describing water physically released in excess of deliveries to existing water right holders as available for appropriators). Water rights bearing Condition 908, including Suez permit no. 63-31409 are not authorized to divert water unless flood control release water is physically being spilled through the system through Lucky Peak Dam. This is because outside of spring flood flows during high water (*i.e.*, flood control) years, the Boise River is a fully appropriated system. Condition 908’s “on flood release” language is tied to the “flood releases” (*i.e.*, physical water) referenced in the very next sentence of the condition. “On flood release” is *not* simply a time of year; such an interpretation of the plain language of the condition yields an absurd result because it renders the very next sentence (beginning “Flood releases shall be determined . . .”) meaningless.

There is flood release water exiting the system, or there is not. It is the flood release water exiting the system that is the water available for appropriation in the Boise River system. The Boise River Reservoir system is not “on flood release” unless physical flood control releases are being made from the system (whether it be in the form of the evacuation of previously stored water to create open space, and/or the contemporaneous pass-through of inflows to maintain open space). Condition 908 is appropriately linked to the specific act of “flood releases” not merely broader flood management (*i.e.*, when the Bureau of Reclamation, the Army Corps, and the watermaster are merely monitoring weather, snowpack conditions, forecasting runoff, and evaluating available open space in the reservoir system).

B. A Modified Version of Condition 908 is Necessary to Address the Refill Settlement and Refill Rights

The Refill Settlement resulted in decrees for two new water rights known as Refill 1 (63-33734A) with a priority of 1965 and Refill 2 (63-33734B) with a priority of 1973. These rights were decreed in addition to the existing storage rights of 63-303, 63-3613, 63-3614 and 63-3618 which are referred to herein as the “Base Rights” with even earlier priorities. These water rights total over 5,000,000 acre feet (approximately 1,000,000 Base Rights + 3,600,000 Refill 1 + 587,000 Refill 2) and thus under strict priority administration there would be few, if any, times when junior priority rights would be entitled to divert water while these rights are accruing water pursuant to the Department’s accounting program. Accordingly, and because accrual in the Department’s accounting program to the Base Rights or Refill 1 does not necessarily mean that the accrued water is physically stored in the reservoirs, and because that water accruing in the accounting program may physically flow through or be released during accrual,⁷ conditions are necessary to explain when the junior rights may be exercised. Stated another way, “[f]lood control releases are reservoir operations whereby stored water is evacuated from a reservoir before and during peak inflows,”⁸ and while accrual to the Base Rights or Refill 1 may be occurring there may also be flood control releases below Lucky Peak Dam which are available for appropriation and use by junior rights.

Even before the Refill Stipulation and the new Refill 1 and Refill 2 rights were decreed, Condition 908 provided explanation to the water user, Department and watermaster that junior rights could be exercised when flood control releases were occurring even when the Base Rights

⁷ *Id.*, p. 4.

⁸ *Id.*, p. 2.

were otherwise in priority and some physical accrual was occurring. Without the remark, the Base Rights would continue to command priority and leave open the question of whether use of flood control releases from the Lucky Peak Dam outlet could occur.

Suez's contention that the Refill Stipulation and/or the decrees for Refill 1 and Refill 2 negates the imposition of Condition 908 completely fails to consider that the rights, including the Base Rights, may also be accruing according to the Department's accounting program but not physically filling because of flood control releases. In such an instance, a new applicant such as Micron benefits from a condition like Condition 908 which provides that the new permit/license may be exercised during flood control releases even if out of priority or otherwise subordinated. With the decree of Refill 1 and Refill 2, more specifically because of the "carve out" provisions in Refill 1, the Ditch Companies submit that Condition 908 should be modified to address Refill 1 and whether the proposed new use is subordinated to Refill 1 or not.

There are generally three post-Refill Settlement Scenarios that an updated Condition 908 should address:⁹

1. A new application for a use, such as hydropower, recharge or storage of more than 1,000 acre feet, that is both junior to the Base Rights, and subordinate Refill 1 and Refill 2. In this situation, any new permit would only be allowed to be exercised when water is flowing through the system as a non-physically stored or used flood control release. In this scenario, Condition 908 can continue to be used, generally speaking, in its original form;

⁹ The Ditch Companies acknowledge that each new application in the future may have its own unique facts or circumstances, but the three scenarios should generally address most, if not all, new applications.

2. A new application is for uses, such as direct flow irrigation or industrial use, which are junior to and subordinated to the existing Base Rights and Refill 2, but not subordinated to Refill 1 because the use does not fall under the “carve out” provisions of Refill 1. In this situation, any new permit would be allowed to be exercised when water is accruing to the Base Rights under the accounting program and water is being released for flood control below Lucky Peak **AND** later when Refill 1 is in priority and accruing water because the use is not subordinated to Refill 1. In this scenario, an updated Condition 908 referring to Refill 1 would be appropriate to provide explanation to the user, the Department and watermaster as to when the permit/license could be exercised; and
3. A scenario, such as the new application by Micron, where there are multiple uses such as recharge and direct industrial use. In this situation, both the situations described above would be applicable and Condition 908 would be modified to address each use depending upon whether it was a “carve out” subordinated to Refill 1 or not.

In the situation of Micron, which again involves a subordinated recharge use and an unsubordinated direct flow industrial use, Micron, the Ditch Companies and the Boise Project Board of Control have “tentatively” agreed to the following modification to Condition 908:

The right holder shall exercise **the direct diversion industrial use portion of this right only when authorized by the District 63 Watermaster when the Boise River is on flood release below Lucky Peak dam/outlet¹⁰ or when water right no. 63-33734A is in priority. The right holder shall exercise the recharge use portion of this right**

¹⁰ For new applications above Lucky Peak Dam, such as Elmore County’s permit above Anderson Ranch Dam, this reference should also include a reference “flood release below Lucky Peak and Anderson Ranch dam/outlet” to ensure that both dams are releasing water for flood control when the new permit/license is being exercised.

only when authorized by the District 63 Watermaster when the Boise River is on flood release below Lucky Peak dam/outlet. Flood releases shall be determined based upon the Memorandum of Agreement between the Department of Army and the Department of Interior for Flood Control Operations of Boise River Reservoirs, dated November 20, 1953, contracts with Reclamation contract holders in the Boise River Reservoirs, the Water Control Manual for Boise River Reservoirs, dated April 1985, and any modifications adopted pursuant to the procedures required in these documents and federal laws. The right holder shall not seek, directly or indirectly, any change to the flood control operations of the 1985 Water Control Manual for Boise River reservoirs. This water right may not be used to divert water released from storage to augment lower Snake River flows during the migration of Snake River salmon as authorized under Idaho law, or for any purpose of use authorized under the water rights for Lucky Peak Reservoir.

Thus, Condition 908 continues to have utility. Depending on whether the new application, including pending and future applications, is for a use which is subordinated to Refill 1 or not, then the above condition can be modified accordingly.

C. Suez's Proposed Conditions Replacing Condition 908 are Not Helpful for the Administration or Exercise of New Rights

Suez's "Proposed Condition #1 (Refill 1)" is for the most part a re-statement of the subordination or "carve out" language in the Refill 1 water right. Other than restating the "carve out" language, Suez's proposed condition does not provide any further explanation or context helpful for the administration of the new permit or license. In fact, it fails to provide any guidance as to whether the new permit or license falls within the "carve out" provision, when the applicant is able to divert water given the senior priority of Refill 1, or when the watermaster is able to determine when the new right is to be exercised (*e.g.*, when flood control releases are passing physically unused through the system). Without more explanation Suez's condition does nothing to inform the applicant/water user, other water users, the Department or the watermaster when the new permit/license is entitled to divert water given its junior priority date to the Base Rights, Refill 1 and Refill 2.

Even less helpful is Suez's "Proposed Condition #2 (Refill 2)" which proposes nothing more than a redundant statement that the new permit/license is administered as junior to Refill 2 which has a 1973 priority date. The new permit/license is also junior to all other prior rights on the Boise River, including the Base Rights. Again, and as discussed, *supra*, a condition such as Condition 908 is helpful to the applicant, Department and watermaster to determine, even though the permit/license may be subordinated and junior to prior rights such as the Base Rights, the right may be utilized when water is being released for flood control below Lucky Peak Dam.

The Ditch Companies agree that some reference to Refill 1 and Refill 2 is necessary and helpful for explaining the relationship between the rights and the new uses being proposed (*i.e.*, whether the new use falls in the "carve out" to Refill 1 or not). The Director recently imposed such a condition on the Elmore County permit, and consistent with such direction, the Ditch Companies have agreed to a similar condition in the Stipulation with Micron and which is provided as Condition 1 to the Stipulation. While the focus of Suez's Motion is on Condition 908, the Ditch Companies maintain that all of the conditions provided for in the attached Stipulation remain relevant and necessary for the explanation, administration and exercise of new applications, such as Micron's, and the Ditch Companies contend that Condition 1 to the Stipulation better addresses the matter than the new conditions being proposed by Suez.

D. Suez's Motion is Moot Because Micron has Agreed to the Modified Version of Condition 908

The Department should deny Suez's Motion and instead confirm that the conditions tentatively agreed to between Micron, the Ditch Companies, and the Boise Project Board of Control are appropriate. Upon doing so, the Department should use the modified Condition 908 agreed to by Micron to resolve other future applications seeking appropriations from the Boise River so that future protests can be narrowed and streamlined accordingly.

In the alternative, should the Department decline to confirm update of Condition 908, then Suez's Motion is moot. The Applicant/Micron can agree to conditions on its permit with the Ditch Companies and the Boise Project Board of Control, and it is free to do so whether Suez believes such conditions are appropriate or not. Suez acknowledges that it agreed to Condition 908 to resolve a protest to one of Suez's applications, and Micron is free to do the same. Thus, regardless of Suez's Motion and arguments that Condition 908 is obsolete, the Department should impose the conditions provided in the attached Stipulation upon its final execution by the parties thereto.

Furthermore, while not necessary, the attached Stipulation further provides that: "The Parties acknowledge that Condition No. 3 does not create a standard condition that would be binding on any future applications filed with the Department." Thus, the concerns of Suez that the continued use of Condition 908 (modified or not) creates a standard condition or precedent are also moot if Micron agrees to the conditions and if the parties agree that the Stipulation shall not create the precedent that Suez is apparently fearful of. That said, the Ditch Companies are protestants to other pending applications from the Boise River, including applications by Cat Creek Energy, LLC and the Idaho Water Resource Board, and submit that Department confirmation and standardization of Condition 908 (and updated derivatives) remains useful and helpful because these same issues will continually arise as part of the resolution of future applications.


III. CONCLUSION

Suez's argument that Condition 908 is obsolete given the Refill Settlement is simply incorrect because Condition 908 continues to provide explanation and guidance to water users, the Department and the watermaster when a new permit/license may be exercised. The Department recently confirmed the utility of Condition 908 in its Staff Memo, the Anders Memo and when the Director imposed Condition 908 on the recent application by Elmore County. Suez's strict priority

based proposed conditions fail to consider, to the detriment of Micron and future applicants, that junior rights may be exercised when water is accruing to the existing Base Rights if water is being physically released for flood control or if the use is not subordinated to Refill 1. Accordingly, the modified Condition 908 proposed by the Ditch Companies, and agreed to by Micron, should be affirmatively confirmed by the Department. Should the Department determine not to confirm the modified Condition 908 proposed by the Ditch Companies, then the Department should still confirm that the conditions may be included in any permit/license issued to Micron based upon its agreement.

DATED this 16th day of July, 2020.

SAWTOOTH LAW OFFICES, PLLC

By 
S. Bryce Farris
Attorneys for the Ditch Companies

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16th day of July, 2020, I caused a true and correct copy of the foregoing **DITCH COMPANIES' RESPONSE TO SUEZ'S MOTION FOR PARTIAL SUMMARY JUDGMENT CONCERNING CONDITION 908** to be served by the method indicated below, and addressed to the following:

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BEFORE THE DEPARTMENT OF WATER RESOURCES OF
THE STATE OF IDAHO

IN THE MATTER OF APPLICATION
FOR PERMIT NO. 63-34614 IN THE
NAME OF MICRON TECHNOLOGY, INC.

STIPULATION AND JOINT MOTION
TO APPROVE APPLICATION AND
ISSUE PERMIT

Applicant Micron Technology, Inc. ("Micron") and Protestants, Boise Project Board of Control ("Boise Board"); and Ballentyne Ditch Company, Boise Valley Irrigation Ditch Company, Canyon County Water Company, Eureka Water Company, Farmers' Co-operative Ditch Company, Middleton Mill Ditch Company, Middleton Irrigation Association, Inc., Nampa & Meridian Irrigation District, New Dry Creek Ditch Company, Pioneer Ditch Company, Pioneer Irrigation District, Settlers Irrigation District, South Boise Water Company, and Thurman Mill Ditch Company (hereinafter "Ditch Companies"), (collectively, the "Parties"), pursuant to IDAPA 37.01.01.204, .260, .557, and .612, hereby stipulate and move the Idaho Department of Water Resources ("Department") to approve the September 13, 2018 application in the above-captioned matter ("Application") and to issue a permit according to the terms and conditions set forth in this *Stipulation and Joint Motion to Approve Application and Issue Permit* ("Stipulation").

The Parties hereby stipulate and agree that the following conditions ("*Conditions*") shall be included in any permit and subsequent license issued under the *Application*:

STIPULATION AND JOINT MOTION TO APPROVE APPLICATION AND ISSUE PERMIT – 63-34614 Page 1 of 7

Condition No. 1. The direct diversion industrial use portion of this right is subordinate to the capture and retention of water in on-stream Boise River reservoir space that was existing on September 13, 2018, during and following flood control operations until the day of allocation, including the capture and retention of water in such space pursuant to water right numbers 63-33734A and 63-33734B. The recharge use portion of this right is subordinate to the capture and retention of water in on-stream Boise River reservoir space that was existing on September 13, 2018, during and following flood control operations until the day of allocation, including the capture and retention of water in such space pursuant to water right numbers 63-33734A and 63-33734B.

Condition No. 2. This right is subject to water right holder's full utilization of available rights 63-120F, 63-198Q, 63-199B, and 63-200B.

Condition No. 3. The right holder shall exercise the direct diversion industrial use portion of this right only when authorized by the District 63 Watermaster when the Boise River is on flood release below Lucky Peak dam/outlet or when water right no. 63-33734A is in priority. The right holder shall exercise the recharge use portion of this right only when authorized by the District 63 Watermaster when the Boise River is on flood release below Lucky Peak dam/outlet. Flood releases shall be determined based upon the Memorandum of Agreement between the Department of Army and the Department of Interior for Flood Control Operations of Boise River Reservoirs, dated November 20, 1953, contracts with Reclamation contract holders in the Boise River Reservoirs, the Water Control Manual for Boise River Reservoirs, dated April 1985, and any modifications adopted pursuant to the procedures required in these documents and federal laws. The right holder shall not seek, directly or indirectly, any change to the flood control operations of the 1985 Water Control Manual for Boise River reservoirs. This water right may not be used to divert water released from storage to augment lower Snake River flows during the migration of Snake River salmon as authorized under Idaho law, or for any purpose of use authorized under the water rights for Lucky Peak Reservoir.

The Parties further stipulate and agree that diversion and use of water in connection with any permit and subsequent license issued under the Application shall be subject to the terms and conditions of this Stipulation, which shall be binding upon the Parties hereto, and their heirs, successors, and assigns.

The Parties move the Department, pursuant to IDAPA 37.01.01.612, for an order ("Order") approving the Conditions and confirming that the Conditions shall be included by the Department

in any permit and subsequent license issued under the Application. The Parties acknowledge that Condition No. 3 does not create a standard condition that would be binding on any future applications filed with the Department.

The protests to the Application filed by the Boise Board and the Ditch Companies shall be deemed withdrawn upon the issuance of a final Order stating that the Conditions are approved and shall be included by the Department in any permit and subsequent license issued under the Application. Provided, however, the Protestants reserve the right to participate further should the Department elect not to include the conditions set forth above or if another protestant or party challenges or disputes the inclusion of the conditions stated in this Stipulation. Such withdrawal of protests shall be with prejudice.

The Parties respectfully request the entry of an Order approving the stipulated terms and conditions set forth herein, including without limitation the Conditions. Each Party shall bear its own costs, expenses, and attorney fees in connection with the above-captioned matter.

MICRON TECHNOLOGY, INC.

_____, 2020

By:
Its:

BOISE PROJECT BOARD OF CONTROL

_____, 2020

By:
Its:

DRAFT

BALLENTYNE DITCH COMPANY
BOISE VALLEY IRRIGATION DITCH COMPANY
CANYON COUNTY WATER COMPANY
EUREKA WATER COMPANY
FARMERS' CO-OPERATIVE DITCH COMPANY
MIDDLETON MILL DITCH COMPANY
MIDDLETON IRRIGATION ASSOCIATION, INC.
NAMPA & MERIDIAN IRRIGATION DISTRICT
NEW DRY CREEK DITCH COMPANY
PIONEER DITCH COMPANY
PIONEER IRRIGATION DISTRICT
SETTLERS IRRIGATION DISTRICT
SOUTH BOISE WATER COMPANY
THURMAN MILL DITCH COMPANY

_____, 2020

By:
Its:

CERTIFICATE OF SERVICE

I hereby certify that on the ____ day of _____, 2020, a true and correct copy of the foregoing was filed and/or served upon the following individual(s) by the means indicated:

DOCUMENT FILED:

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Western Regional Office
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