

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

IN THE MATTER OF APPLICATIONS FOR)	ORDER CONSOLIDATING
TRANSFER 83471, 83915 AND 83918)	PROCEEDINGS AND
IN THE NAME OF ROCKY MOUNTAIN)	NOTICE OF PRE-HEARING /
<u>WATER EXCHANGE</u>)	STATUS CONFERENCE

On July 19, 2019, Rocky Mountain Water Exchange (“RMWE”) filed Application for Transfer 83471 with the Idaho Department of Water Resources (“Department”). The Department published notice of the application. A joint protest was filed by A&B Irrigation District, Burley Irrigation District, Milner Irrigation District, North Side Canal Company, Twin Falls Canal Company, American Fall Reservoir District #2 and Minidoka Irrigation District (collectively the “Coalition”). Application 83471 proposes to move a portion of ground water right 27-7545 to the Jefferson Greens Estates Subdivision for irrigation of residential lots within the subdivision.

On February 24, 2020, RMWE filed Application for Transfer 83915 with the Department. Application 83915 proposes to move Snake River water right 01-7017 to the Jefferson Greens Estates Subdivision. Application 83915 was protested by the Coalition.

Also on February 24, 2020, RMWE filed Application for Transfer 83918 with the Department. Application 83918 proposes to move ground water right 35-7720 to the Jefferson Greens Estates Subdivision for irrigation of residential lots. Application 83918 was protested by the Coalition.

The Department conducted a pre-hearing conference for Application 83471 on April 7, 2020. During the conference, the attorney for RMWE and the attorneys for the Coalition asked if the three contested cases (Applications 83471, 83915 and 83918) could be consolidated for hearing.

Rule 556 of the Department’s Rules of Procedure (IDAPA 37.01.01) authorizes the Department to consolidate two or more proceedings upon a finding that they “present issues that are related and that the rights of the parties will not be prejudiced.”

The parties to Applications 83471, 83915 and 83918 are identical. The proposed places of use, although not identical, are all located within the Jefferson Greens Estates Subdivision. All three applications were filed for the same purpose, to bring water rights to the subdivision to cover the current and future irrigation within the subdivision. The issues of protest for the applications are very similar. The parties will not be prejudiced if the proceedings are consolidated. It would be appropriate to consolidate Applications 83471, 83915 and 83918 for hearing.

ORDER

IT IS HEREBY ORDERED that Applications 83471, 83915 and 83918 filed by RMWE are consolidated for the purpose of conducting an administrative hearing. The Department has not yet established any discovery or disclosure deadlines for any of the consolidated cases.

NOTICE OF PRE-HEARING/STATUS CONFERENCE

The Department conducted a pre-hearing conference for Application 83471 on April 7, 2020 but has not yet conducted a pre-hearing conference for Applications 83915 and 83918. The Department has scheduled these consolidated cases for a pre-hearing/status conference to be held on **Monday, May 4, 2020 at 1:00 pm**. The conference will be conducted by telephone only. To participate by telephone, please use the following numbers:

Telephone: 1-877-820-7831

Participant Code: 889693

The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42 and Chapter 52, Title 67, Idaho Code, and the adopted Rules of Procedure of the Department IDAPA 37.01.01. A copy of the Rule of Procedure may be obtained from the Department upon request.

The conference will be conducted in a facility that satisfies the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in, or understand the conference, please notify the department at least (10) days prior to the pre-hearing. Inquiries about scheduling or pre-hearing facilities should be directed to Christina Henman at (208) 525-7161.

Dated this 10th day of April 2020.



James Cefalo
Regional Manager

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10th day of April 2020, true and correct copies of the documents described below were served by placing a copy of the same with the United States Postal Service, postage prepaid and properly addressed, to the following:


Document: Order Consolidating Proceedings and Notice of Pre-Hearing/Status Conference

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