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DEPARTMENT OF
WATER RESOURCES

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Attorneys for Edwards Family LLC

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF LICENSE NO. 63-9139 IN THE NAME OF: CITY OF BOISE	PETITION FOR RECONSIDERATION

Edwards Family LLC (hereinafter "Petitioner"), by and through its attorneys of record, HAWLEY TROXELL ENNIS & HAWLEY LLP, hereby files this Petition for Reconsideration in the above-referenced matter. Petitioner objects to the absence of a condition of approval referencing the 2002 Stipulated Agreement for Settlement in Part and Stay of Proceedings Regarding Remainder of Petition ("2002 Agreement"), as modified by the 2010 Second Stipulated Agreement for Settlement in Part of Petition and Stay of Further Proceedings ("2010" Agreement"). The 2002 Agreement and the 2010 Agreement were approved by the Idaho Department of Water Resources ("IDWR") in its September 6, 2002, Order Accepting

Settlement in Part and Stay of Proceedings Regarding Remainder of Petition, and January 18, 2011, Order Accepting Settlement in Part and Stay of Further Proceedings.

The 2002 Agreement, as modified by the 2010 Agreement, provided the basis for resolution of the parties' Protests in this proceeding and for approval of the quantities ultimately authorized under this License. The terms and conditions of the 2002 Agreement and the 2010 Agreement, including without limitation, the monitoring and reporting requirements and mitigation plan, were intended to ensure continued protection of the resource while allowing diversions under this water right and should be referenced in a License condition to ensure that the water right holder continues to monitor, report and maintain the mitigation options as it diverts water under this water right.

DATED THIS 11th day of May, 2018.

HAWLEY TROXELL ENNIS & HAWLEY LLP

By _____
Dana L. Hofstetter,
Attorneys for Edwards Family LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of May, 2018, I caused to be served a true copy of the foregoing document by the methods indicated below, and addressed to each of the following:

Original to:

Director Idaho Department of Water Resources 322 East Front Street, 6th Floor Boise, ID 83702	☐ U.S. Mail, Postage Prepaid ☑ Hand Delivered ☐ Overnight Mail ☐ E-mail ☐ Telecopy

Copies to:

Jeff Peppersack Chief, Water Allocation Bureau Idaho Department of Water Resources 322 East Front Street, 6th Floor Boise, ID 83702	☐ U.S. Mail, Postage Prepaid ☑ Hand Delivered ☐ Overnight Mail ☐ E-mail ☐ Telecopy
Robert A. Maynard Perkins Coie LLP 1111 W. Jefferson St., Ste. 500 PO Box 737 Boise, ID 83701-0737	☑ U.S. Mail, Postage Prepaid ☐ Hand Delivered ☐ Overnight Mail ☐ E-mail ☐ Telecopy
Boise Warm Springs Water District c/o Lyndon Nguyen and Cherese Mclain MSBT Law Chtd. 950 W. Bannock, Ste. 520 Boise, ID 83702	☑ U.S. Mail, Postage Prepaid ☐ Hand Delivered ☐ Overnight Mail ☐ E-mail ☐ Telecopy
State of Idaho, Dept. of Administration c/o Julie Weaver Office of the Attorney General PO Box 83720 Boise, ID 83720-0010	☑ U.S. Mail, Postage Prepaid ☐ Hand Delivered ☐ Overnight Mail ☐ E-mail ☐ Telecopy

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Boise, ID 83720-0010

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