

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

IN THE MATTER OF PETITION FOR
ORDER AUTHORIZING ADDITIONAL USE
UNDER EXISTING PERMITS AND
MORATORIUM ORDER FOR WATER
RIGHTS 63-9138 & 63-9139 IN THE NAME
OF THE CITY OF BOISE

**INTERLOCUTORY ORDER
AUTHORIZING ADDITIONAL USE**

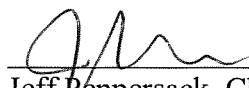
On January 18, 2011, the Idaho Department of Water Resources ("Department") issued an *Order Accepting Settlement in Part and Stay of Further Proceedings* accepting the August 25, 2010 *Second Stipulated Agreement for Settlement in Part of Petition and Stay of Further Proceedings* ("Agreement"). Pursuant to the Agreement, the Department met with the parties to this proceeding on March 8, 2011 to review the Department's annual summary report regarding monitoring data and the City of Boise's ("City") annual production and injection report, and to discuss the City's request to increase the production limit to 236 million gallons per year under water right permit nos. 63-9138 and 63-9139. Having considered the matter, the Department makes the following Order:

ORDER

IT IS HEREBY ORDERED that:

1. Based on the Agreement, the Department authorizes an increase in the production limit (diversion pumping) for use under water right permit nos. 63-9138 and 63-9139 in the name of the City of Boise to 236 million gallons per water year effective beginning in water year 2011.
2. This is an interlocutory order issued pursuant to IDAPA 37.01.01.710

Dated this 11 day of April, 2011.



Jeff Peppersack, Chief
Water Allocation Bureau

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of April, 2011, the above and foregoing, was served on the following by placing a copy of the same in the United States mail, postage prepaid and properly addressed to the following:

Boise Warm Springs Water District
c/o Bruce Smith
Moore Smith Buxton & Turcke
950 W Bannock St Ste 520
Boise, ID 83702

(x) U.S. Mail, Postage Prepaid
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Edwards Family LLC
c/o Dana Hofstetter
Hofstetter Law Office
608 W. Franklin St
Boise, ID 83702

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State of Idaho, Dept. of Lands
c/o Harriet Hensley
Attorney General's Office
P.O. Box 83720
Boise, ID 83720-0010

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State of Idaho, Dept of Admin
c/o Edith Pacillo
Attorney General's Office
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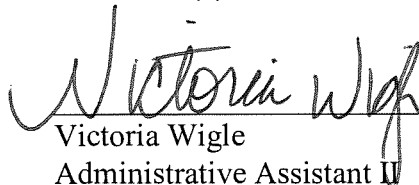
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Victoria Wigle
Administrative Assistant II
Idaho Department of Water Resources