

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 90287**

This is to certify that: TB & R INVESTMENTS LLC
388 N 2000 E
ST ANTHONY, ID 83445

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>
31-10503	WR/DECREED	4/1/1987	0.660 cfs	192.5 af	N/A	462.0	GROUND WATER
31-2248	WR/DECREED	6/25/1931	0.900 cfs	157.5 af	45.0	462.0	GROUND WATER
31-62S	WR/DECREED	10/31/1917	1.410 cfs	246.8 af	70.5	462.0	GROUND WATER
31-63S	WR/DECREED	5/1/1928	0.590 cfs	103.3 af	29.5	462.0	GROUND WATER
31-7203	WR/DECREED	7/30/1976	7.530 cfs	1221.0 af	407.0	462.0	GROUND WATER

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>
31-10503	NO	NO	YES	NO	NO	NO
31-2248	NO	NO	YES	NO	NO	NO
31-62S	NO	NO	YES	NO	NO	NO
31-63S	NO	NO	YES	NO	NO	NO
31-7203	NO	NO	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>
31-10503	31-10503	0.660 cfs	192.5 af	55.0	462.0	N/A	N/A	N/A	N/A	N/A
31-2248	31-2248	0.900 cfs	157.5 af	45.0	462.0	N/A	N/A	N/A	N/A	N/A
31-62S	31-62S	1.410 cfs	246.8 af	70.5	462.0	N/A	N/A	N/A	N/A	N/A
31-63S	31-63S	0.590 cfs	103.3 af	29.5	462.0	N/A	N/A	N/A	N/A	N/A
31-7203	31-7203	7.530 cfs	1221.0 af	407.0	462.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		7.530 cfs	1413.5 af	462.0	462.0		N/A	N/A	N/A	N/A

**Support Data
In File # 31-62S**

Transfer No. 90287

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 90287

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 12th day of March, 2026


Water Resources Program Manager



Transfer No. 90287

Support Data
In File # 31-625

WATER RIGHT NO. 31-62S**As Modified by Transfer No. 90287**

In accordance with the approval of Transfer No. 90287, Water Right No. 31-62S is now described as follows:

Right Holder: T B & R INVESTMENTS LLC
388 N 2000 E
ST ANTHONY, ID 83445

Priority Date: 10/31/1917

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
IRRIGATION	4/01	to 10/31	1,410 cfs	246.8 af
			1,410 cfs	246.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNWNW	Sec 23 Twp 07N Rge 36E	JEFFERSON County
GROUND WATER	SENESEW	Sec 23 Twp 07N Rge 36E	JEFFERSON County

PLACE OF USE: IRRIGATION

				NE				NW				SW				SE				Totals
Twp	Rng	Sec		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	36E	22	12.0				27.0									8.0				47.0
07N	36E	23						30.0	32.0	40.0	38.0	39.0	40.0	24.0	39.0	32.0	32.0	35.0	34.0	415.0

Right Acre Limit: 70.5
POU Total Acres: 462.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 70.5 acres within the authorized place of use in a single irrigation season.
2. Rights 31-62S, 31-63S, 31-2248, and 31-7203 when combined shall not exceed a total diversion rate of 7.53 cfs, a total annual maximum diversion volume of 1221 af at the field headgate, and the irrigation of 407 acres.
3. Rights 31-62S, 31-63S, 31-2248, 31-7203, and 31-10503. when combined shall not exceed a total diversion rate of 7.53 cfs, a total annual maximum diversion volume of 1413.5 af at the field headgate, and the irrigation of 462 acres.
4. 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. 110.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Transfer No. 90287

WATER RIGHT NO. 31-62S
As Modified by Transfer No. 90287

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 90287, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 31-63S**As Modified by Transfer No. 90287**

In accordance with the approval of Transfer No. 90287, Water Right No. 31-63S is now described as follows:

Right Holder: T B & R INVESTMENTS LLC
388 N 2000 E
ST ANTHONY, ID 83445

Priority Date: 5/1/1928

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/31	0.590 cfs	103.3 af
			0.590 cfs	103.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNWNW	Sec 23 Twp 07N Rge 36E	JEFFERSON County
GROUND WATER	SENESEW	Sec 23 Twp 07N Rge 36E	JEFFERSON County

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	
07N	36E	22	12.0			27.0									8.0				47.0
07N	36E	23					30.0	32.0	40.0	38.0	39.0	40.0	24.0	39.0	32.0	32.0	35.0	34.0	415.0

Right Acre Limit: 29.5
POU Total Acres: 462.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 29.5 acres within the authorized place of use in a single irrigation season.
2. Rights 31-62S, 31-63S, 31-2248, and 31-7203 when combined shall not exceed a total diversion rate of 7.53 cfs, a total annual maximum diversion volume of 1221 af at the field headgate, and the irrigation of 407 acres.
3. Rights 31-62S, 31-63S, 31-2248, 31-7203, and 31-10503. when combined shall not exceed a total diversion rate of 7.53 cfs, a total annual maximum diversion volume of 1413.5 af at the field headgate, and the irrigation of 462 acres.
4. 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. 110.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Transfer No. 90287

WATER RIGHT NO. 31-63S
As Modified by Transfer No. 90287

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 90287, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 31-2248**As Modified by Transfer No. 90287**

In accordance with the approval of Transfer No. 90287, Water Right No. 31-2248 is now described as follows:

Right Holder: T B & R INVESTMENTS LLC
388 N 2000 E
ST ANTHONY, ID 83445

Priority Date: 6/25/1931

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/31	0.900 cfs	157.5 af
			0.900 cfs	157.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNWNW	Sec 23 Twp 07N Rge 36E	JEFFERSON County
GROUND WATER	SENESEW	Sec 23 Twp 07N Rge 36E	JEFFERSON County

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	
07N	36E	22	12.0			27.0									8.0				47.0
07N	36E	23					30.0	32.0	40.0	38.0	39.0	40.0	24.0	39.0	32.0	32.0	35.0	34.0	415.0

Right Acre Limit: 45.0
POU Total Acres: 462.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 45 acres within the authorized place of use in a single irrigation season.
2. Rights 31-62S, 31-63S, 31-2248, and 31-7203 when combined shall not exceed a total diversion rate of 7.53 cfs, a total annual maximum diversion volume of 1221 af at the field headgate, and the irrigation of 407 acres.
3. Rights 31-62S, 31-63S, 31-2248, 31-7203, and 31-10503. when combined shall not exceed a total diversion rate of 7.53 cfs, a total annual maximum diversion volume of 1413.5 af at the field headgate, and the irrigation of 462 acres.
4. 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. 110.

Transfer No. 90287

WATER RIGHT NO. 31-2248
As Modified by Transfer No. 90287

CONDITIONS OF APPROVAL

5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to the diversion and use of water under Transfer approval 90287, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 31-7203**As Modified by Transfer No. 90287**

In accordance with the approval of Transfer No. 90287, Water Right No. 31-7203 is now described as follows:

Right Holder: T B & R INVESTMENTS LLC
388 N 2000 E
ST ANTHONY, ID 83445

Priority Date: 7/30/1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 11/01	7.530 cfs	1221.0 af
			7.530 cfs	1221.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNWNW	Sec 23 Twp 07N Rge 36E	JEFFERSON County
GROUND WATER	SENESEW	Sec 23 Twp 07N Rge 36E	JEFFERSON County

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	
07N	36E	22	12.0			27.0									8.0				47.0
07N	36E	23					30.0	32.0	40.0	38.0	39.0	40.0	24.0	39.0	32.0	32.0	35.0	34.0	415.0

Right Acre Limit: 407.0
POU Total Acres: 462.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 407 acres within the authorized place of use in a single irrigation season.
2. Rights 31-62S, 31-63S, 31-2248, and 31-7203 when combined shall not exceed a total diversion rate of 7.53 cfs, a total annual maximum diversion volume of 1221 af at the field headgate, and the irrigation of 407 acres.
3. Rights 31-62S, 31-63S, 31-2248, 31-7203, and 31-10503. when combined shall not exceed a total diversion rate of 7.53 cfs, a total annual maximum diversion volume of 1413.5 af at the field headgate, and the irrigation of 462 acres.
4. 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. 110.

WATER RIGHT NO. 31-7203
As Modified by Transfer No. 90287

CONDITIONS OF APPROVAL

5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to the diversion and use of water under Transfer approval 90287, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
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. Right No. 31-10503 is an enlargement of this right pursuant to Idaho Code § 42-1426.
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.
12. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 31-10503**As Modified by Transfer No. 90287**

In accordance with the approval of Transfer No. 90287, Water Right No. 31-10503 is now described as follows:

Right Holder: T B & R INVESTMENTS LLC
388 N 2000 E
ST ANTHONY, ID 83445

Priority Date: 4/1/1987

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.660 cfs	192.5 af
			0.660 cfs	192.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNNWNW	Sec 23 Twp 07N Rge 36E	JEFFERSON County
GROUND WATER	SENESEW	Sec 23 Twp 07N Rge 36E	JEFFERSON County

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	
07N	36E	22	12.0			27.0									8.0				47.0
07N	36E	23					30.0	32.0	40.0	38.0	39.0	40.0	24.0	39.0	32.0	32.0	35.0	34.0	415.0

Right Acre Limit: 55.0
POU Total Acres: 462.0

CONDITIONS OF APPROVAL

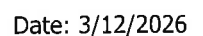
1. This right is for an enlargement of 55 acres within the place of use described for this right.
2. Rights 31-62S, 31-63S, 31-2248, 31-7203, and 31-10503. when combined shall not exceed a total diversion rate of 7.53 cfs, a total annual maximum diversion volume of 1413.5 af at the field headgate, and the irrigation of 462 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. 110.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

WATER RIGHT NO. 31-10503
As Modified by Transfer No. 90287

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 90287, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. 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.
8. This right is based upon an enlargement of Right No. 31-7203 pursuant to Idaho Code § 42-1426.
9. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Idaho Code § 42-1426. As between water rights decreed as enlargements pursuant to Idaho Code § 42-1426, the earlier priority right is the superior right.
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.
12. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

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.





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 Mathew Weaver

March 12, 2026

TB & R INVESTMENTS LLC
388 N 2000 E
ST ANTHONY ID 83445

Re: Transfer No: 90287
Water Right No(s): 31-62S , 31-63S , 31-2248, 31-7203, 31-10503

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:

ROCKY MOUNTAIN ENVIRONMENTAL ASSOCIATES INC
482 CONSTITUTION WAY STE 303
IDAHO FALLS ID 83402-3552

CERTIFICATE OF SERVICE

I hereby certify that on March 12, 2026 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.: 90287

Water Right No(s).: 31-62S , 31-63S , 31-2248, 31-7203, 31-10503

**TB & R INVESTMENTS LLC
388 N 2000 E
ST ANTHONY ID 83445**

**ROCKY MOUNTAIN ENVIRONMENTAL ASSOCIATES INC
482 CONSTITUTION WAY STE 303
IDAHO FALLS ID 83402-3552**



**Christina Henman
Administrative Assistant**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

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

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

PETITION FOR RECONSIDERATION

(See Idaho Code § 67-5243(3))

Any party may file a petition for reconsideration of this preliminary order with the Department within fourteen (14) days of the service date of this order as shown on the certificate of service. **Note: the petition must be received by the Department within this fourteen (14) day period.** The presiding officer 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.

PETITION FOR REVIEW (EXCEPTIONS)

(See Idaho Code § 67-5245)

Within fourteen (14) days after: (a) the service date of this preliminary order, (b) the service date of a denial of a petition for reconsideration of this preliminary order, or (c) the failure within twenty-one (21) days of the presiding officer to act on a petition for reconsideration of this preliminary order, any party may petition the Director in writing to review any part of this preliminary order by filing exceptions, and any supporting brief, with the Department.¹ Any parties opposing the exceptions shall have fourteen (14) days from the service date of the exceptions to file a brief. If the Director determines that oral argument is to be heard, the Director will provide reasonable notice to the parties of the place, date, and hour for the argument.

The Director will issue a final order on exceptions within fifty-six (56) days of receipt of the written briefs or oral argument, whichever is later, unless extended for good cause. The Director may remand the matter for or hold an evidentiary hearing if further factual development of the record is necessary before issuing a final order.

REQUEST FOR HEARING

(See Idaho Code § 42-1701A(3))

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 Idaho Code § 42-1701A(3). A written petition to the Director contesting the preliminary order and requesting a hearing must be filed with the Department

¹ The Director may decide to review this preliminary order upon his own motion. Should the Director decide to do so, the Director will provide written notice to the parties within the period the parties are allowed to petition the director for review of the preliminary order.

by any aggrieved person **within fifteen (15) days after service of this preliminary order.**

CERTIFICATE OF SERVICE
(See IDAPA 37.01.01.053, 37.01.01.202)

All documents filed with the Department in connection with a petition for reconsideration, petition for review, or a request for hearing of this preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 53 and 202.