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DEPARTMENT OF
WATER RESOURCES

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Attorneys for Flying Squirrel Productions, LLC

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF APPLICATION FOR
TRANSFER NO. 90208 IN THE NAME OF
FLYING SQUIRREL PRODUCTIONS, LLC

**FLYING SQUIRREL'S PETITION FOR
RECONSIDERATION**

Flying Squirrel Productions, LLC ("Flying Squirrel"), by and through its counsel Givens - Pursley LLP, and pursuant to Idaho Code § 67-5243 and Idaho Department of Water Resources ("IDWR" or "Department") Rule of Procedure 730.02.b (IDAPA 37.01.01.730.02.b), hereby petitions the Department for reconsideration of its April 4, 2026, preliminary order approving Application for Transfer No. 90208 ("*Transfer Approval*").¹

The *Transfer Approval* includes the following condition on each transferred water right:

Rights **37-510A, 37-685D, 37-21863, 37-21880, 37-21897, 37-21914, 37-21931 and 37-21976** when combined shall not exceed the irrigation of 57.4 acres.

(Emphases added.) This condition should be deleted because the first two rights have never been combined with the last six rights, and all of them should not be combined due to the transfer.

¹ The *Transfer Approval* was served on April 6, 2026.

The first two water rights (bolded above—37-510A and 37-685D) are not included in the transfer. However, they were decreed in 2009 for irrigation of 57.4 acres combined. The *Transfer Approval* should not change this.

The last six water rights (underlined above—37-21863, 37-21880, 37-21897, 37-21914, 37-21931, and 37-21976) are included in the transfer, but never have been combined with the first two rights. Rather, these six should only be combined with each other for irrigation of 18.7 acres as reflected in other conditions included in the *Transfer Approval*.

Prior approved transfer no. 89217 involved moving portions of the last six water rights to the same place of use as this transfer, and that approval did not include conditions combining those portions with right nos. 37-510A and 37-685D. There is no reason why this transfer should treat the last six rights differently.

In conclusion, Flying Squirrel requests that IDWR remove the condition set forth above from the *Transfer Approval* because the rights subject to the *Transfer Approval* have never been combined with right nos. 37-510A and 37-685D, and should not be combined with those rights due to the transfer.

Respectfully submitted this 20th day of April, 2026.

GIVENS PURSLEY LLP



By _____
Michael P. Lawrence
Attorneys for Flying Squirrel Productions, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of April, 2026, the foregoing, together with any appendices or exhibits, was filed, served, and copied as shown below.

DOCUMENT FILED:

Idaho Department of Water Resources
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Michael P. Lawrence

Maline, Denise

From: Michael P. Lawrence <mpl@givenspursley.com>
Sent: Monday, April 20, 2026 6:24 PM
To: IDWR File; Skinner, Corey
Subject: Transfer no. 90208 - Petition for Reconsideration [GP-DMS.014190.0010.FID1208683]
Attachments: Flying Squirrel Petition for Reconsideration - 2026-04-20_19453938_1.pdf

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Please find the attached document for filing with IDWR.

Thanks,
Mike

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