

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

IN THE MATTER OF WATER SUPPLY
BANK LEASE CONTRACT AND
RENTAL AGREEMENT FOR WATER
RIGHT NO. 35-4189 IN THE NAME OF
J.R. SIMPLOT COMPANY, LLC

**ORDER GRANTING REQUEST FOR
HEARING AND APPOINTING HEARING
OFFICER**

BACKGROUND

On July 14, 2025, J. R. Simplot Company, LLC (“Simplot”) filed an application to lease water right 35-4189 with the Idaho Department of Water Resources (“Department”).

On March 30, 2026, the Department provided Simplot with the Water Supply Bank Lease Contract No. 2137 and the Water Supply Bank Rental Agreement No. 997 (“Agreements”).

On April 3, 2026, the Department received the *J.R. Simplot Company, LLC’s Petition for Reconsideration, Modification and Request for Hearing on Water Supply Bank Lease Contract 2137 & Rental Agreement 997* (“*Request*”) pursuant to Idaho Code § 42-1701A(3). Simplot signed the Agreements and included them as attachments to the *Request*. The Department signed those Agreements on April 8, 2026. In its *Request*, Simplot asks the Department to amend and reissue the Agreements permitting irrigation of more acreage. *Request*, at 6. If the Department declines to amend the Agreements, Simplot asks for a hearing on the matter pursuant to Idaho Code § 42-1701A(3).

Idaho Code § 42-1701A(3) provides in relevant part:

Unless the right to a hearing before the director . . . is otherwise provided by statute, any person aggrieved by any action of the director . . . and who has not previously been afforded an opportunity for a hearing on the matter shall be entitled to a hearing before the director to contest the action.

Because Simplot has not previously been afforded an opportunity for hearing on this issue, the Director will grant Simplot’s *Request* in accordance with Idaho Code § 42-1701A(3).

ORDER

IT IS HEREBY ORDERED that Simplot’s request for hearing is GRANTED.

IT IS FURTHER ORDERED that Phill Hummer is appointed to serve as hearing officer in this matter and is authorized to hear this contested case on behalf of the Department pursuant to IDAPA 37.01.01.410–414 and the provisions of chapter 52, title 67, Idaho Code. Hearing Officer Hummer will initiate communication with counsel for the parties in this matter. Hearing Officer Hummer’s contact information is as follows:

Phill Hummer
Idaho Department of Water Resources
322 East Front Street, Suite 648
Boise, ID 83702
(208) 287-4800
phill.hummer@idwr.idaho.gov

IT IS FURTHER ORDERED that Hearing Officer Hummer will schedule a status conference within 30 days of the issuance of this order.

DATED this 27th day of May 2026.

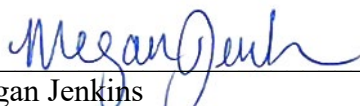


MATHEW WEAVER
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on this 27th day of May 2026, I caused to be served a true and correct copy of the foregoing document on the following by the method indicated below:

Rebecca Voss J. R. SIMPLOT COMPANY, LLC 1099 W. Front St. Boise, ID 83702 rebecca.voss@simplot.com <i>Attorney for Simplot</i> cc: Reminton Buyer Water Right Specialist J.R. Simplot Company, LLC 1099 W. Front St. Boise, ID 83702 remington.buyer@simplot.com	☒ U.S. Mail, postage prepaid ☐ Hand Delivery ☐ Overnight Mail ☐ Facsimile ☒ Email
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Megan Jenkins
Executive Assistant