

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

IN THE MATTER OF THE PETITION FOR)
DELIVERY CALL OF A&B IRRIGATION) CM-DC-2011-001
DISTRICT FOR THE DELIVERY OF GROUND)
WATER AND FOR THE CREATION OF A) **AMENDED ORDER**
GROUND WATER MANAGEMENT AREA) **GRANTING PETITION**
) **FOR RECONSIDERATION**
) **TO ALLOW TIME**
) **FOR FURTHER REVIEW**
_____)

On April 27, 2011, the Director of the Idaho Department of Water Resources (“Director” or “Department”) issued a *Final Order on Remand Regarding A&B Irrigation District’s Delivery Call* (“Final Order on Remand”). The Final Order on Remand was served on April 27, 2011.

On May 11, 2011, A&B Irrigation District (“A&B”) filed a timely *Petition for Reconsideration of Interim Director’s April 27, 2011 Final Order on Remand/Request for Hearing* (“Petition”).

Department Rule of Procedure 740.02.a provides that any party may file a petition for reconsideration within fourteen days of the service date of a final order. IDAPA 37.01.01.740.02.a. *See also* Idaho Code § 67-5246(4). The rule further provides, “The agency will dispose of the petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law.” *Id.*

A&B filed its Petition on May 11, 2011, and it will be deemed denied by operation of law if not acted upon by the Department by June 1, 2011. Because the Department requires additional time to review the merits of the Petition, the Director shall grant A&B’s Petition for the sole purpose of allowing additional time for the Department to respond to the Petition. An order responding to the merits of the Petition will issue no later than June 30, 2011.

ORDER

Based upon and consistent with the foregoing, IT IS HEREBY ORDERED that the Petition is GRANTED for the sole purpose of allowing additional time for the Department to

respond to the Petition. An order responding to the merits of the Petition shall issue no later than June 30, 2011.

Dated this 9th day of June, 2011.


GARY SPACKMAN
Interim Director

CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy of the following attached document on the persons listed below by mailing in the United States mail, first class with the correct postage affixed thereto, as well as by e-mail to those persons listed with e-mail addresses, on this 9th day of June, 2011.

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Deborah Gibson
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