**BEFORE THE DEPARTMENT OF WATER RESOURCES**

**OF THE STATE OF IDAHO**

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| **IN THE MATTER OF TWIN FALLS GROUND WATER MANAGEMENT AREA MORATORIUM** | ) ) ) ) | **ORDER EXTENDING MORATORIUM** |

WHEREAS, on January 11, 1984, the Director of the Idaho Department of Water Resources ("Department") designated an area in Twin Falls and Jerome Counties as a ground water management area ("GWMA") pursuant to Section 42-233b, Idaho Code, because the thermal-artesian ground water system was approaching the conditions of a critical ground water area; and

WHEREAS, on July 24, 1987, the Director of IDWR established a five (5) year moratorium on approving applications to appropriate water and limiting development under existing permits to divert and use water from the thermal-artesian ground water system in the area within the GWMA lying within Townships 9 and 10 South and Ranges 16, 17 and 18 East Boise Meridian ("Twin Falls Moratorium Area") because the area continues to experience declines in artesian pressures; and

WHEREAS, on July 22, 1992, July 24, 1997, and July 24, 2002, the Director extended the moratorium for successive five (5) year periods; and

WHEREAS, on June 12, 2007, the College of Southern Idaho filed a petition seeking extension of the moratorium for an additional five (5) year period; and

WHEREAS, aquifer conditions have not changed since the previous public meeting was held on June 28, 2002 and the Department has not received a request to schedule a new public meeting; and

WHEREAS, hydrogeologic data collected over the past twenty (20) years indicate artesian pressures have not fully stabilized and the data needed to make an accurate determination of the average rate of recharge to the thermal aquifer are not yet available;

**ORDER**

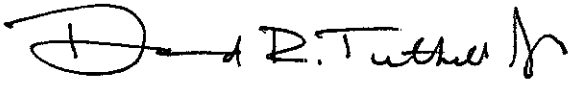
NOW THEREFORE, pursuant to Section 42-1805(7), Idaho Code and IDAPA Rule 37.03.08055 (Water Appropriation Rule 55), IT IS HEREBY ORDERED that the order dated July 24, 1987, establishing a moratorium on approval of applications to appropriate and limiting development of existing permits to use the thermal-artesian ground water system in the Twin Falls Moratorium Area **is extended for five (5) years,**

**from the date this order becomes final through September 1, 2012,** unless rescinded or modified by order of the Director or a court of competent jurisdiction.

IT IS FURTHER ORDERED that the Department shall serve a copy of this order upon holders of applications proposing appropriation in the Twin Falls Ground Water Management Area and shall publish notice of this order as required by IDAPA Rule 37.03.08055 (Water Appropriation Rule 55).

IT IS FURTHER ORDERED that **this order shall be effective on August 17, 2007.** A petition for reconsideration or exceptions to this order must be filed with the Department on or before August 31, 2007. Any person aggrieved by this order may request a hearing on or before August 31, 2007 as authorized by Idaho Code § 42-1701A. Remedies following issuance of a final order are further explained in the enclosure to this order.

DATED this 26th day of July, 2007



DAVID R. TUTHILL, JR
Director