BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF MODIFYING THE BOUNDARIES OF THE AMERICAN FALLS GROUND WATER MANAGEMENT AREA	)))))	NOTICE OF CONTESTED CASE AND NOTICE OF STATUS CONFERENCE

On August 29, 2003, the Director of the Idaho Department of Water Resources ("Director" or "Department") issued a *Final Order Modifying the Boundaries of the American Falls Ground Water Management Area* ("American Falls GWMA"). The Director's order concludes that it is no longer necessary to retain the previous boundaries of the American Falls GWMA designation for water administrative purposes. The subsequent establishment of Water District Nos. 120 and 130 overlying the area located in the Department's Administrative Basins 35, 36, 41, and 43 provides the Department water administration authorities under chapter 6, title 42, Idaho Code, that are more comprehensive than those provided under Idaho Code § 42-233b. A petition contesting the order of August 29, 2003, was filed with the Department as described below.

NOTICE OF CONTESTED CASE

NOTICE IS HEREBY GIVEN that on October 2, 2003, the Twin Falls Canal Company and North Side Canal Company ("Canal Companies"), by and through their attorneys Barker Rosholt & Simpson LLP, filed with the Department a *Petition To Initiate Contested Case* in the above-captioned matter.

The petition seeks a hearing before the Department, pursuant to the provisions of Idaho Code § 42-1701A(3), to contest the entry of the Director's order of August 29, 2003. The

petitioners request that an evidentiary hearing be held in this matter, and that a stay of the order of August 29, 2003, be entered pending resolution of the contested case.

Any person or entity desiring to participate as a party in this contested case proceeding shall file a petition to intervene, on or before December 12, 2003, with the Director, Idaho Department of Water Resources, 1301 North Orchard St., Boise, Idaho 83706-2237, showing service upon all parties to the proceeding. The petition to intervene should be in conformance with Rules 351 and 352 of the Department's Rules of Procedure.

NOTICE OF STATUS CONFERENCE

NOTICE IS HEREBY GIVEN that the Director will preside over a status conference at 1:00 p.m., Friday, December 12, 2003, or as soon thereafter as may be heard, in Conference Rooms A&B at the Department of Water Resources offices located at 1301 North Orchard St., Boise, Idaho, to address the manner in which this matter shall proceed, and to discuss the Canal Companies' request for a stay of the Department's order of August 29, 2003, pending resolution of this contested case proceeding.

The conference will be conducted in a facility that meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the conference, please advise the department, at telephone number (208) 327-7910, within (5) days prior to the conference.

Dated this 21st day of November 2003.

KARL J. DREHER
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of November, 2003, the above and foregoing document was served on the following by placing a copy of the same in the United States mail, postage prepaid and properly addressed to the following:

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