

TABLE OF CONTENTS

AGENCY RECORD

Prepared by the Idaho Department of Water Resources for the following case:

CASE NO. CV 14-21-05008

**RIVERSIDE IRRIGATION DISTRICT vs. the IDAHO DEPARTMENT OF
WATER RESOURCES and GARY SPACKMAN in his official capacity as Director
of the Idaho Department of Water Resources.**

*IN THE MATTER OF THE REUSE PERMIT NO. M-225-01, IN THE NAME
OF THE CITY OF NAMPA*

Riverside’s Petition for Declaratory Ruling Regarding Need for a Water Right to Divert Water Under Reuse Permit No. M-255-01, February 24, 2020	1-4
City of Nampa Answer to Petition for Declaratory Ruling, March 16, 2020	5-13
City of Nampa Petition to Intervene, March 16, 2020	14-19
Notice of Prehearing Conference & Setting Deadlines, March 16, 2020	20-23
IDWR Notice of Petition for Declaratory Ruling, March 26, 2020.....	24
IDWR Letter to Johanna Bell, Association of Cities, April 2, 2020.....	25
IDWR Letter to Paul Arrington, Idaho Water Users Association, April 2, 2020	26
Times News Proof of Publication of Notice of Petition, April 6, 2020	27-29
Post Register Proof of Publication of Notice of Petition, April 13, 2020.....	30-31
Cities of Meridian & Caldwell Joint Petition to Intervene, April 16, 2020	32-36
City of Boise Petition to Intervene, April 16, 2020	37-42
Hayden Sewer Board Petition to Intervene, April 17, 2020	43-45
Association of Idaho Cities Petition to Intervene, April 20, 2020	46-50
City of Pocatello Petition to Intervene, April 20, 2020.....	51-56

Idaho Falls Petition to Intervene, April 22, 2020.....	57-62
Idaho Power Petition to Intervene, April 22, 2020	63-69
Pioneer Irrigation District Petition to Intervene, April 22, 2020	70-76
Bellevue Petition to Intervene, April 23, 2020	77-80
Jerome Petition to Intervene, April 23, 2020	81-84
Post Falls Petition to Intervene, April 23, 2020	85-88
Rupert Petition to Intervene, April 23, 2020.....	89-92
Nampa’s Opposition to Idaho Power Company’s to Petition to Intervene, April 29, 2020.....	93-97
Riverside’s Response to Petitions to Intervene, April 29, 2020	98-105
Nampa’s Revised Certificate of Service for Nampa’s Opposition to Idaho Power Co Petition to Intervene, April 30, 2020.....	106-114
Bellevue’s Withdrawal of Petition to Intervene, May 4, 2020	115-116
Email from Chris Meyer to Director and Parties re: service by email, May 4, 2020	117-118
Order Setting Deadline for Responses; Notice of Continued Prehearing Conference, May 7, 2020.....	119-122
Stipulation Regarding Intervention, May 11, 2020.....	123-133
Idaho Power Co’s Response to Opposition to Idaho Power Co’s Petition to Intervene, May 14, 2020.....	134-140
Cities Opposition to Idaho Power’s Petition to Intervene, May 14, 2020	141-146
Pioneer Irrigation District’s Opposition to Idaho Power Company’s Petition to Intervene, May 15, 2020	147-152

Order Granting Motions to Intervene; Order Authorizing Email Service, June 11, 2020 153-160

Reuse Proponent’s Stipulation of Facts, June 30, 2020 161-180

Reuse Proponent's Submission Regarding Legal Issues, June 30, 2020..... 181-191

Reuse Proponent’s Exhibits A-F, June 30, 2020 192-212

Reuse Proponent’s Submission of Exhibit G, June 30, 2020..... 213-250

Reuse Proponent’s Submission of Exhibit H, June 30, 2020..... 251-308

Reuse Proponents’ Submission of Exhibit I, June 30, 2020 309-389

Reuse Proponent’s Submission of Exhibit J, June 30, 2020 390-648

Riverside Irrigation District’s Pre-Hearing Conference Memorandum, July 8, 2020 649-655

Scheduling Order; Notice of Continued Prehearing Conference, July 15, 2020 656-659

Reuse Proponents’ Notification Re; Efforts to Reach Stipulation, August 14, 2020 660-667

Riverside’s Second Prehearing Conference Memorandum, August 19, 2020..... 668-671

Notice of Continued Prehearing Conference, August 25, 2020..... 672-675

Stipulation re: Exhibits A-T & Other Evidence, September 11, 2020..... 676-687

Stipulation of Facts by all Parties, September 11, 2020 688-713

Submission of Exhibits K-T, September 11, 2020..... 714-763

Amended Scheduling Order, September 11, 2020..... 764-766

Petitioner’s Opening Brief, October 2, 2020 767-831

Municipal Intervenors’ Response to Petitioner’s Opening Brief, October 30, 2020. 832-852

Nampa’s Response Brief, October 30, 2020 853-1061

Pioneer Irrigation District’s Response Petitioner’s Opening Brief, October 30, 2020.. 1062-1101

Riverside’s Reply in Support for Petition for Declaratory Ruling, November 20, 2020.....
1102-1144

City of Boise Notice of Appearance, December 1, 2020..... 1145-1147

City of Boise Notice of Appearance, December 9, 2020..... 1148-1150

Municipal Intervenors’ Sur-Reply, December 10, 2020..... 1151-1168

Nampa’s Sur-Reply, December 11, 2020 1169-1199

Pioneer Irrigation District’s Sur-Reply, December 11, 2020..... 1200-1224

Substitution of Counsel for Hayden Area Regional Sewer Board, January 4, 2021 1225-
1227

Amended Certificate of Service, May 3, 2021..... 1228-1229

Order on Petition for Declaratory Ruling, May 3, 2021 1230-1237

Canyon County’s Notice of Reassignment, May 28, 2021 1238-1239

Riverside’s Notice of Appeal and Petition for Judicial Review of Agency Action, May 28,
2021..... 1240-1247

Procedural Order Governing Judicial Review of Director’s Order, June 3, 2021 . 1248-1254

IDWR Notice of Appearance, June 8, 2021..... 1255-1256

Notice of Reassignment SRBA, June 14, 20211257

IDWR Motion for Extension of Time to File Agency Record, June 16, 2021 1258-1260

Order Granting Motion for Extension of Time, June 23, 2021..... 1261-1264

Notice of Lodging of Agency Record with Agency, July 8, 2021..... 1265-1267

Order Settling the Agency Record, July 27, 2021 1268-1270

Agency's Certificate of Record, July 27, 2021..... 1271-1273

Notice of Lodging Settled Agency Record With District Court, July 27, 2021 1274-1276

INDEX

AGENCY RECORD

Prepared by the Idaho Department of Water Resources for the following case:

CASE NO. CV 14-21-05008

**RIVERSIDE IRRIGATION DISTRICT vs. the IDAHO DEPARTMENT OF WATER
RESOURCES and GARY SPACKMAN in his official capacity as Director of the
Idaho Department of Water Resources.**

*IN THE MATTER OF THE REUSE PERMIT NO. M-225-01, IN THE NAME
OF THE CITY OF NAMPA*

Agency's Certificate of Record, July 27, 2021	1271-1273
Amended Certificate of Service, May 3, 2021	1228-1229
Association of Idaho Cities Petition to Intervene, April 20, 2020	46-50
Bellevue Petition to Intervene, April 23, 2020.....	77-80
Bellevue’s Withdrawal of Petition to Intervene, May 4, 2020.....	115-116
Canyon County’s Notice of Reassignment, May 28, 2021	1238-1239
Cities of Meridian & Caldwell Joint Petition to Intervene, April 16, 2020	32-36
Cities Opposition to Idaho Power’s Petition to Intervene, May 14, 2020.....	141-146
City of Boise Notice of Appearance, December 1, 2020	1145-1147
City of Boise Notice of Appearance, December 9, 2020	1148-1150
City of Boise Petition to Intervene, April 16, 2020	37-42
City of Nampa Answer to Petition for Declaratory Ruling, March 16, 2020	5-13
City of Nampa Petition to Intervene, March 16, 2020	14-19
City of Pocatello Petition to Intervene, April 20, 2020.....	51-56

Email from Chris Meyer to Director and Parties re: service by email, May 4, 2020....	117-118
Hayden Sewer Board Petition to Intervene, April 17, 2020.....	43-45
Idaho Falls Petition to Intervene, April 22, 2020.....	57-62
Idaho Power Co’s Response to Opposition to Idaho Power Co’s Petition to Intervene, May 14, 2020.....	134-140
Idaho Power Petition to Intervene, April 22, 2020.....	63-69
IDWR Letter to Johanna Bell, Association of Cities, April 2, 2020.....	25
IDWR Letter to Paul Arrington, Idaho Water Users Association, April 2, 2020	26
IDWR Motion for Extension of Time to File Agency Record, June 16, 2021	1258-1260
IDWR Notice of Appearance, June 8, 2021	1255-1256
IDWR Notice of Petition for Declaratory Ruling, March 26, 2020.....	24
Jerome Petition to Intervene, April 23, 2020	81-84
Municipal Intervenors’ Response to Petitioner’s Opening Brief, October 30, 2020	832-852
Municipal Intervenors’ Sur-Reply, December 10, 2020	1151-1168
Nampa’s Opposition to Idaho Power Company’s to Petition to Intervene, April 29, 2020	93-97
Nampa’s Response Brief, October 30, 2020	853-1061
Nampa’s Revised Certificate of Service for Nampa’s Opposition to Idaho Power Co Petition to Intervene, April 30, 2020.....	106-114
Nampa’s Sur-Reply, December 11, 2020.....	1169-1199

Notice of Continued Prehearing Conference, August 25, 2020	672-675
Notice of Lodging of Agency Record with Agency, July 8, 2021	1265-1267
Notice of Lodging Settled Agency Record with District Court, July 27, 2021 ...	1274-1276
Notice of Prehearing Conference & Setting Deadlines, March 16, 2020	20-23
Notice of Reassignment SRBA, June 14, 2021	1257
Order Granting Motion for Extension of Time, June 23, 2021	1261-1264
Order Granting Motions to Intervene; Order Authorizing Email Service, June 11, 2020	153-160
Order on Petition for Declaratory Ruling, May 3, 2021	1230-1237
Order Setting Deadline for Responses; Notice of Continued Prehearing Conference, May 7, 2020	119-122
Order Settling the Agency Record, July 27, 2021	1268-1270
Petitioner’s Opening Brief, October 2, 2020.....	767-831
Pioneer Irrigation District Petition to Intervene, April 22, 2020	70-76
Pioneer Irrigation District’s Opposition to Idaho Power Company’s Petition to Intervene, May 15, 2020.....	147-152
Pioneer Irrigation District’s Response Petitioner’s Opening Brief, October 30, 2020	1062-1101
Pioneer Irrigation District’s Sur-Reply, December 11, 2020.....	1200-1224
Post Falls Petition to Intervene, April 23, 2020	85-88
Post Register Proof of Publication of Notice of Petition, April 13, 2020	30-31
Procedural Order Governing Judicial Review of Director’s Order, June 3, 2021	1248-1254

Reuse Proponent’s Exhibits A-F, June 30, 2020.....	192-212
Reuse Proponent’s Stipulation of Facts, June 30, 2020	161-180
Reuse Proponent’s Submission of Exhibit G, June 30, 2020.....	213-250
Reuse Proponent’s Submission of Exhibit H, June 30, 2020.....	251-308
Reuse Proponents’ Submission of Exhibit I, June 30, 2020	309-389
Reuse Proponent’s Submission of Exhibit J, June 30, 2020	390-648
Reuse Proponent's Submission Regarding Legal Issues, June 30, 2020.....	181-191
Reuse Proponents’ Notification Re; Efforts to Reach Stipulation, August 14, 2020.....	660-667
Riverside Irrigation District’s Pre-Hearing Conference Memorandum, July 8, 2020 ...	649-655
Riverside’s Notice of Appeal and Petition for Judicial Review of Agency Action, May 28, 2021	1240-1247
Riverside’s Petition for Declaratory Ruling Regarding Need for a Water Right to Divert Water Under Reuse Permit No. M-255-01, February 24, 2020	1-4
Riverside’s Reply in Support for Petition for Declaratory Ruling, November 20, 2020	1102-1144
Riverside’s Response to Petitions to Intervene, April 29, 2020.....	98-105
Riverside’s Second Prehearing Conference Memorandum, August 19, 2020.....	668-671
Rupert Petition to Intervene, April 23, 2020	89-92
Scheduling Order; Notice of Continued Prehearing Conference, July 15, 2020	656-659
Stipulation of Facts by all Parties, September 11, 2020.....	688-713

Stipulation re: Exhibits A-T & Other Evidence, September 11, 2020676-687

Stipulation Regarding Intervention, May 11, 2020 123-133

Submission of Exhibits K-T, September 11, 2020714-763

Substitution of Counsel for Hayden Area Regional Sewer Board, January 4, 2021.... 1225-
1227

Times News Proof of Publication of Notice of Petition, April 6, 202027-29