BOISE, WEDNESDAY, JUNE 20, 2018 AT 11:10AM

IN THE SUPREME COURT OF THE STATE OF IDAHO

IN THE MATTER OF ACCOUNTING FOR DISTRIBUTION OF WATER TO THE FEDERAL ON-STREAM RESERVOIRS IN WATER DISTRICT 63 BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES. ---------- **BALLANTYNE DITCH COMPANY, BOISE VALLEY IRRIGATION DITCH COMPANY, CANYON COUNTY WATER COMPANY, EUREKA WATER COMPANY, FARMERS' CO-OPERATIVE DITCH COMPANY, MIDDLETON MILL DITCH COMPANY, MIDDLETON IRRIGATION ASSOCIATION, INC., NAMPA & MERIDIAN IRRIGATION DISTRICT, NEW DRY CREEK DITCH COMPANY, PIONEER DITCH COMPANY, PIONEER IRRIGATION DISTRICT, SOUTH BOISE WATER COMPANY, THURMAN MILL DITCH COMPANY,** **Petitioners,** **and** **BOISE PROJECT BOARD OF CONTROL, and NEW YORK IRRIGATION DISTRICT,** **Petitioners-Appellants-Cross Respondents,** **v.** **IDAHO DEPARTMENT OF WATER RESOURCES and GARY SPACKMAN, in his capacity as Director of the Idaho Department of Water Resources,** **Respondents,** **and** **SUEZ WATER IDAHO, INC.,** **Intervenor-Respondent-Cross Appellant.**	**Docket No. 44745**

Appeal from the District Court of the Fifth Judicial District, State of Idaho, Twin Falls - Snake River Basin Adjudication. Hon. Eric J. Wildman, District Judge.

Barker, Rosholt & Simpson, LLP, Boise for appellant Boise Project Board of Control.

McDevitt & Miller, Boise, for appellant New York Irrigation District.

Hon. Lawrence G. Wasden, Attorney General, Boise, for respondents Idaho Department of Water Resources and Gary Spackman.

Givens Pursley, LLP, Boise, for intervenor-cross appellant.

Boise Project Board of Control (Boise Project) appeals the decision of the district court in Ada County affirming in part an order from the Director of the Department of Water Resources (Department) regarding the accounting method in Water District 63. The Director initiated a contested case to hear objections to the Department's accounting system used to determine when storage water rights are filled. After the Director issued his final order, Boise Project appealed to the district court. The district court affirmed the Director's order regarding the accounting method finding that it was in accordance with the doctrine of prior appropriation. Boise Project appeals arguing that the district court erred in finding the accounting method was in accordance with the doctrine of prior appropriation. Boise Project also argues that it was denied due process during the contested case before the Director. Suez Water Idaho Inc. cross appeals arguing that the district court erred when it failed to affirm all of the Director's final order.