

**NOTICE OF APPLICATION FOR APPROVAL OF
GROUND WATER USERS' 2009 JOINT MITIGATION PLAN
TO COMPENSATE BLUE LAKES TROUT FARM, INC.**

Notice is hereby given that on July 6, 2009, North Snake Ground Water District and Magic Valley Ground Water District, c/o Randall C. Budge, Racine Olson Nye Budge & Bailey, PO Box 1391, Pocatello ID 83204-1391, submitted a Joint Mitigation Plan for 2009 (plan) to the Idaho Department of Water Resources (Department).

The plan is intended to satisfy the mitigation or replacement obligations of the North Snake Ground Water District and Magic Valley Ground Water District as well as the obligations of the Southwest Irrigation District, the Goose Creek Irrigation District and the Carey Ground Water District (collectively referred to as "the districts"). The districts are regulated by the watermaster of State Water Districts 130 and 140.

The members of the districts hold numerous ground water rights for domestic, municipal, commercial, industrial and irrigation uses located within Gooding, Jerome, Lincoln, Minidoka, Blaine, Twin Falls and Cassia Counties. Certain of these ground water rights have priority dates junior to the priority dates of certain water rights from surface water sources dependent on springs that discharge to the Devil's Washbowl to Buhl Gage reach of the Snake River. The ground water and the springs are interconnected sources of water. The districts have proposed the plan to compensate for injury to earlier priority surface water rights that may result from depletions under later priority ground water rights. The surface water rights which the plan proposes to benefit are: 36-2356A, 36-7210 and 36-7427 held by Blue Lakes Trout Co. LLC for use at its hatchery facility. The plan provides for direct delivery of replacement water to the Blue Lakes Trout Co. LLC hatchery of 10 cfs of spring flow from Alpheus Creek under water right 36-2603C. The plan also provides for continued or maintained conversions of irrigation of land from ground water to surface water via the North Side Canal Co. delivery system and ongoing enrollment of ground water irrigated lands in the Conservation Reserve Enhancement Program.

The Department will process this plan pursuant to the Department's Conjunctive Management Rules (IDAPA 37, Title 03, Chapter 11).

The Department has not determined the adequacy of the proposed plan. A complete copy of the proposed plan is available for review at either the Department's State Office in Boise, the Department's Regional Office in Twin Falls, or may be viewed online at the following website along with other related documents:

http://www.idwr.idaho.gov/News/WaterCalls/1000Spring%20Users%20Calls/2009_Filings/Admin_Docs/07Jul/20090702_BlueLksJtMitPlan.pdf

Any protest against approval of the plan must be filed with the Department, together with a protest fee of \$25, on or before August 17, 2009. The protest must include a certificate of service showing that a copy of the protest has been mailed to or served on the districts.

Gary Spackman, Interim Director

Published in the Times News on 7/30 & 8/6/09.

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