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**BEFORE THE DEPARTMENT OF WATER RESOURCES
 OF THE STATE OF IDAHO**

IN THE MATTER OF DISTRIBUTION OF)	
WATER TO WATER RIGHT NOS. 36-02356a,)	CM-MP-2009-002
36-07210 & 36-07247)	
)	
)	NOTICE OF PARTIAL
IN THE MATTER OF THE MITIGATION)	WITHDRAWAL OF MITIGATION
PLAN FILED BY A&B IRRIGATION)	PLAN
DISTRICT)	
)	
(Blue Lakes Delivery Call))	
_____)	

COMES NOW, A&B IRRIGATION DISTRICT (“A&B”), applicant in the above-reference matter, by and through counsel of record Barker Rosholt & Simpson LLP, and hereby provides notice of its partial withdrawal of the mitigation plan filed in this matter on August 18, 2009.

A&B hereby withdraws the request for mitigation credit as a result of the enrollment of 121 acres in the federal Conservation Reserve Enhancement Program (CREP). A&B discovered that it did not provide any contribution to the CREP program and therefore no longer seeks a mitigation credit for those 121 acres enrolled in the program for purposes of mitigating its junior

ground water rights subject to the Blue Lakes call. The modeled benefit of the enrolled CREP acres (estimated benefit to Devil's Washbowl to Buhl reach, 0.06 cfs, 42 acre-feet) is not necessary for A&B's mitigation requirement for purposes of the Blue Lakes call and does not affect the Director's approval of the rest of the components of the mitigation plan.

Dated this 7th day of July, 2010.

BARKER ROSHOLT & SIMPSON LLP



Travis L. Thompson

Attorneys for A&B Irrigation District

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of July, 2010, the above and foregoing **NOTICE OF PARTIAL WITHDRAWAL OF MITIGATION PLAN** was sent to the following by e-mail and U.S. Mail, potage prepaid:

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