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Attorneys for Blue Lakes Trout Farm, Inc.

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

IN THE MATTER OF THE NORTH SNAKE) **Docket Nos. CM-MP-2009-001**
AND MAGIC VALLEY GROUND WATER) **CM-MP-2009-002**
DISTRICTS' 2009 JOINT MITIGATION PLAN) **CM-MP-2009-003**
FOR 2009 (Blue Lakes))
_____)

IN THE MATTER OF A&B IRRIGATION) **AFFIDAVIT OF DANIEL V.**
DISTRICT'S RULE 43 MITIGATION PLAN) **STEENSON**
)
)
(Water Right Nos. 36-02356a, 36-07210,)
and 36-07427))
_____)

STATE OF IDAHO)
) ss
COUNTY OF ADA)

DANIEL V. STEENSON, being first duly sworn upon his oath, deposes and says that:

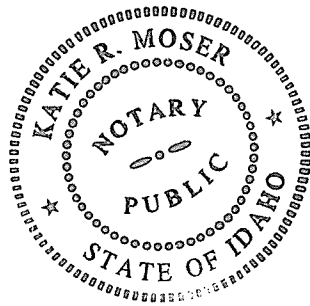
1. Attached hereto as **Exhibit A** is a true and correct copy of email correspondence between myself, Allan Wylie and Phil Rassier dated January 27, 2010, February 8, 2010 and February 9, 2010 regarding the impact of junior ground water pumping within Southwest Irrigation District and Goose Creek Irrigation District on Blue Lakes' water right no. 36-07427.

Further your affiant sayeth naught.

Dated this 5th day of April, 2010.

Daniel Steenson
Daniel V. Steenson

Sworn to and subscribed before me this 5th day of April, 2010.



Katie R. Moser
Notary Public for Idaho
Residing in *Basin*, Idaho
My Commission Expires: *2/20/14*

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of April, 2010, I served a true and correct copy of the foregoing **AFFIDAVIT OF DANIEL V. STEENSON** by delivering it to the following individuals by the method indicated below, addressed as stated.

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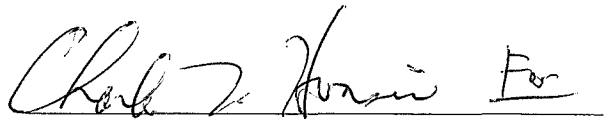

Daniel V. Steenson

EXHIBIT A

Dan Steenson

From: Wylie, Allan [Allan.Wylie@idwr.idaho.gov]
Sent: Tuesday, February 09, 2010 3:05 PM
To: Dan Steenson; Rassier, Phil
Cc: Bromley, Chris
Subject: RE: Request for Model Run Information

Dan

The junior impact calculation includes both Southwest and Goose Creek. The mitigation calculation I provided includes the impact of the Soft Conversions on the J Canal and the impact of the West Cassia Pipeline LLC. They did not ask me to model and I did not provide you with an estimate of the impact of their CREP or voluntary reductions.

Allan

From: Dan Steenson [mailto:dvs@ringertlaw.com]
Sent: Tuesday, February 09, 2010 1:56 PM
To: Wylie, Allan; Rassier, Phil
Cc: Bromley, Chris
Subject: RE: Request for Model Run Information

Allan,

To be clear, do the model outputs that you report below relate to the Southwest Irrigation District and Goose Creek Irrigation District joint impact from junior pumping and their joint proposed mitigation plan?

Dan

From: Wylie, Allan [mailto:Allan.Wylie@idwr.idaho.gov]
Sent: Monday, February 08, 2010 3:55 PM
To: Rassier, Phil; Dan Steenson
Cc: Bromley, Chris
Subject: RE: Request for Model Run Information

Dan

The model says that the impact at the cell containing Blue Lakes Spring from the junior pumping within South West is 4.2 cfs.

The model says that the impact at the cell containing Blue Lakes Spring from South West's proposed mitigation plan is 4.6 cfs.

Allan

From: Rassier, Phil
Sent: Wednesday, January 27, 2010 5:33 PM
To: Steenson, Daniel V.
Cc: Wylie, Allan; Bromley, Chris
Subject: Request for Model Run Information

Dan,

EXHIBIT A

Allan Wylie informed me that you contacted him with a request to perform a model run to evaluate the benefits to Blue Lakes from the SWID/Goose Cr. Mitigation Plan. Bill Parsons recently made a similar request of IDWR staff. We felt uncomfortable having IDWR staff produce evidence for the parties to be used in a contested case and suggested the request needed to go through the presiding officer. I now understand that the information from the model run may be used to facilitate a stipulation among the parties. I've advised Allan to visit with the interim director regarding your request. We will get back to you as soon as we can.

Thanks, Phil

Phillip J. Rassier
Deputy Attorney General
Idaho Department of Water Resources
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Confidentiality Notice: This e-mail may contain confidential and privileged information exempt from disclosure under applicable law. This message is intended only for the use of the individual or individuals identified above. If you have received this message by mistake, please notify the sender immediately by replying to this message. Please delete the message from your system and do not review, disclose, copy, or distribute any information contained or attached to the message.