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ATTORNEYS FOR THE IDAHO GROUND WATER APPROPRIATORS

BEFORE DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO

IN THE MATTER OF
DISTRIBUTION OF WATER TO
WATER RIGHT NOS. 36-4103A, 36-
4013B and 36-7148 (Snake River
Farm)

IN THE MATTER OF THE THIRD
MITIGATION PLAN (OVER-THE-
RIM) OF THE NORTH SNAKE AND
MAGIC VALLEY GROUND WATER
DISTRICTS TO PROVIDE
REPLACEMENT WATER FOR
CLEAR SPRINGS SNAKE RIVER
FARM

(Water District Nos. 130 and 140)

**NOTICE OF FILING AMENDED
AND SUPPLEMENTAL EXHIBITS
TO THE DIRECT TESTIMONY OF
CHARLES BRENDECKE**

(Over-the-Rim Mitigation Plan)

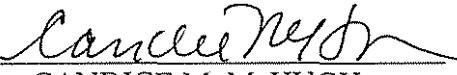
PLEASE TAKE NOTICE, that the North Snake Ground Water District, and Magic Valley Ground Water District , for and on behalf of their respective members (collectively “Ground Water Districts”), through counsel, hereby provide amended exhibits to the Direct Testimony of Charles Brendecke previously filed on September 11, 2009.

Exhibit 2401 is amended to make necessary corrections. Additional pages to Exhibits

2402 and 2403 are being included with the application for proposed transfers which were missing from the Exhibits 2402 and 2403 previously filed.

DATED this 18th day of October, 2009.

RACINE, OLSON, NYE, BUDGE &
BAILEY, CHARTERED

By: 
CANDICE M. McHUGH
Attorneys for IGWA

CERTIFICATE OF MAILING

I hereby certify that on this 1st day of October, 2009, the foregoing, was served by email to those with emails and by U.S. Mail postage prepaid to the following:



Signature of person mailing form

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c/o Victoria Wigle
Idaho Dept of Water Resources
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**BEFORE THE
IDAHO DEPARTMENT OF WATER RESOURCES**

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TO WATER RIGHT NOS. 36-4103A, 36-4013B and 36-
7148 (Snake River Farm)

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PLAN (OVER-THE-RIM) OF THE NORTH SNAKE
AND MAGIC VALLEY GROUND WATER
DISTRICTS TO PROVIDE REPLACEMENT WATER
FOR CLEAR SPRINGS SNAKE RIVER FARM

(Water District Nos. 130 and 140)

**AMENDED AND SUPPLEMENTAL EXHIBITS FOR THE
DIRECT TESTIMONY OF
CHARLES M. BRENDHECKE**

SUBMITTED ON BEHALF OF:

**THE IDAHO GROUND WATER APPROPRIATOR'S INC.
NORTH SNAKE GROUND WATER DISTRICT
MAGIC VALLEY GROUND WATER DISTRICT**

October 1, 2009

AMENDED EXHIBIT 2401

Water Rights and Historical Use of Participating Wells

Well ID	Owner	Water Rights	Historical Average Pumping 2003-2007 (AF/yr)
1	Box Canyon Dairy	36-10044	322.9
		36-2426	
2	Mary Jane and Thomas Heida	36-7682	222.8
		36-2228B	
		36-2228A	
		36-7597B	
		36-7597A	
		36-2493B	
		36-2493C	
		36-8276	
4	Mary Jane and Thomas Heida	Same as Well 2	501.4
5	Box Canyon Dairy	36-16282	446.2
		36-16280	
		36-16278	
		36-16276	
		36-16274	
		36-16272	
		36-16270	
		36-16268	
		36-16266	
		36-16264	
		36-16262	
		36-16260	
		36-16258	
		36-16256	
36-16284			
6	Box Canyon Dairy	Same as Wells 5 & 7	500.3
7	Box Canyon Dairy	Same as Wells 5 & 6	211.9
8	Van Dyk & Sons A General Partnership	36-7319	255.0
		36-7454	

The total authorized amount of water under these water rights is 15.79 cfs and 4,216 acre-feet.

Volumetric limit for water right 36-8276 assumes an application rate of 4 AF/acre consistent with the authorized application rates of 4 AF/acre for all other water rights.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part <input checked="" type="checkbox"/> <input type="checkbox"/>	36-8276	0.14 cfs	Mitigation & Fish	1/1 to 12/31	Groundwater
<input checked="" type="checkbox"/> <input type="checkbox"/>	36-7319	1.11 cfs		1/1 to 12/31	" "
<input checked="" type="checkbox"/> <input type="checkbox"/>	36-16256	0.88 cfs	" "	1/1 to 12/31	" "
<input checked="" type="checkbox"/> <input type="checkbox"/>	36-16258	0.46 cfs	" "	1/1 to 12/31	" "
<input checked="" type="checkbox"/> <input type="checkbox"/>	36-16260	0.28 cfs	" "	1/1 to 12/31	" "
<input checked="" type="checkbox"/> <input type="checkbox"/>	36-16262	0.1 cfs	" "	1/1 to 12/31	" "
<input checked="" type="checkbox"/> <input type="checkbox"/>	36-16264	0.54 cfs	" "	1/1 to 12/31	" "
<input checked="" type="checkbox"/> <input type="checkbox"/>	36-16266	0.36 cfs	" "	1/1 to 12/31	" "
<input checked="" type="checkbox"/> <input type="checkbox"/>	36-16268	0.75 cfs	" "	1/1 to 12/31	" "

Total authorized under rights 15.79 cfs cfs and/or 4216 ac-ft continued on attachment B.1

2. Total amount of water proposed to be transferred or changed 15.79 cfs cubic feet per second and/or 4216 acre-feet per annum

3. Point(s) of Diversion:

- No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
- Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5.**

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- No changes to place of use are proposed-the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			

Total Acres (for irrigation use) _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part <input checked="" type="checkbox"/> <input type="checkbox"/>	36-16270	0.59 cfs	Mitigation & Fish	1/1 to 12/31	Groundwater
<input checked="" type="checkbox"/> <input type="checkbox"/>	36-16272	0.91 cfs	Propagation	1/1 to 12/31	Groundwater
<input checked="" type="checkbox"/> <input type="checkbox"/>	36-16274	0.29 cfs	" "	1/1 to 12/31	Groundwater
<input checked="" type="checkbox"/> <input type="checkbox"/>	36-16276	0.29 cfs	" "	1/1 to 12/31	Groundwater
<input checked="" type="checkbox"/> <input type="checkbox"/>	36-16278	0.86 cfs	" "	1/1 to 12/31	Groundwater
<input checked="" type="checkbox"/> <input type="checkbox"/>	36-16280	0.08 cfs	" "	1/1 to 12/31	Groundwater
<input checked="" type="checkbox"/> <input type="checkbox"/>	36-16282	0.26 cfs	" "	1/1 to 12/31	Groundwater
<input checked="" type="checkbox"/> <input type="checkbox"/>	36-16284	2.54 cfs	" "	1/1 to 12/31	Groundwater
<input checked="" type="checkbox"/> <input type="checkbox"/>	36-7454	0.28 cfs	" "	1/1 to 12/31	Groundwater

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APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

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