

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE STATE OF IDAHO

IN THE MATTER OF DISTRIBUTION OF	)	
WATER TO WATER RIGHTS NOS. 36-02356A,	)	<b>ORDER CURTAILING</b>
36-07210, AND 36-07427	)	<b>JUNIOR PRIORITY</b>
	)	<b>GROUND WATER RIGHTS</b>
	)	
	)	<b>(Blue Lakes Delivery Call)</b>
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**Background**

This matter was initiated by a letter dated March 22, 2005 ("Letter"), from Gregory Kaslo of Blue Lakes Trout Farm, Inc. ("Blue Lakes"). The Letter demanded that the Director "direct the Watermaster for Water District 130 to administer water rights in the Water Districts as required by Idaho Code § 42-607 in order to supply Blue Lakes' prior rights." The Letter stated that Blue Lakes "is entitled to delivery of 197.06 cfs from Alpheus Creek pursuant to water right nos. 36-02356A (5/29/1958 priority for 99.84 cfs), 36-07210 (11/17/1971 priority for 45 cfs), and 36-07427 (12/28/1973 priority for 52.23 cfs)." The Letter further stated that Blue Lakes has been receiving between 111 to 137.7 cfs from its three surface water rights.

On May 19, 2005, the Director issued an order ("May 2005 Order"), in response to the Letter in which he found that junior ground water diversions were materially injuring senior surface water rights held by Blue Lakes. Applying the Department's Rules for Conjunctive Management of Surface and Ground Water Resources, IDAPA 37.03.11.000-.999 ("Conjunctive Management Rules"), the May 2005 Order stated that even though Blue Lakes had an authorized diversion rate of 197.06 cfs under its three rights, "the rates of diversion authorized . . . are not quantity entitlements that are guaranteed to be available to Blue Lakes Trout. Rather, the authorized rates of diversion are the maximum rates at which water can be diverted under these rights, respectively, when such quantities of water are physically available and the rights are in priority." *May 2005 Order* at p. 11, ¶ 50.

According to the May 2005 Order, the maximum amount of water known to have been diverted by Blue Lakes under its three rights is 184.7 cfs. Moreover, it was determined that junior ground water diversions were not injuring Blue Lakes' most senior rights. Therefore, the only material injury found by the Director was in regard to water right no. 36-07427, which authorizes diversion of 52.23 cfs.

As part of the May 2005 Order, the Director required ground water districts representing junior ground water users in Water District No. 130, who consumptively use water under rights later in time than December 28, 1973, to submit plans for providing replacement water, of suitable quality, for review by the Director, no later than May 30, 2005, or those ground water

rights would be curtailed over a period of five years. According to the May 2005 Order, material injury would cease to exist when the total amount of water available to Blue Lakes reached 183 cfs (taking into account 1.7 cfs subordinated to Blue Lakes Country Club). The May 2005 Order stated that, in 2005, ground water users must provide 10 cfs in replacement water to Blue Lakes. Because the Director issued the May 2005 Order before an opportunity for a hearing, the Order stated that “Any person aggrieved by the Order shall be entitled to a hearing before the Director to contest the action pursuant to Idaho Code § 42-1701A(3).” *Id.* at p. 31.

Timely petitions to intervene and petitions for hearing were filed with, and disposed of, by the Director.<sup>1</sup> *Order on Requests for Hearing, Stay, Reconsideration, Independent Hearing Officer, Discovery; and Request for Intervention (Blue Lakes Delivery Call)*. In addition to the petitions for intervention and hearing, the Director was also presented with a request for the appointment of an independent hearing officer by Blue Lakes, which was denied on July 29, 2005. *Id.* In a subsequent filing on August 12, 2005, Blue Lakes requested, as a matter of right, the disqualification of the Director, as well as all other Department employees who might serve as the presiding hearing officer. *Petition for Disqualification of the Director and IDWR Personnel as the Presiding Hearing Officer*. The request was denied on October 31, 2005. *Order Denying Request for Disqualification of the Director as a Matter of Right (Blue Lakes Delivery Call)*.

Prior to the Director’s order granting IGWA’s petition to intervene, IGWA submitted a *Plan for Providing Replacement Water (Blue Lakes Delivery Call)* (“2005 Replacement Water Plan”) on May 27, 2005, on behalf of its member ground water districts. The 2005 Replacement Water Plan proposed replacement water from four sources: (1) delivery of surface water through the North Side Canal Company system and continued deliveries of surface water through the NSCC system to the Sandy Pipeline Ponds; (2) voluntary curtailment of up to 10 percent of ground water irrigated acres by ground water district members; (3) opportunistic ground water recharge; and (4) participation in the Conservation Reserve Enhancement Program beginning in 2006. IGWA also provided an attachment demonstrating a model run with the ESPA ground water model showing that its Replacement Water Plan would provide the necessary reach gains to mitigate material injury.

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<sup>1</sup> Petitions for intervention were filed by the Idaho Ground Water Appropriators, Inc. (“IGWA”), State Agency Ground Water Users (“SAGWU”), and the Idaho Dairymen’s Association (“IDA”). Petitions for hearing were filed by Blue Lakes Trout Farm, Inc. (“Blue Lakes”), and the Idaho Power Company. The Director granted the petitions for intervention filed by IGWA and IDA. *Order on Requests for Hearing, Stay, Reconsideration, Independent Hearing Officer, Discovery; and Request for Intervention (Blue Lakes Delivery Call)*. The Director did not address the petition for intervention filed by SAGWU because it filed a petition for hearing, which was granted. *Id.* The Director also granted Blue Lakes’ petition for hearing; but denied Idaho Power’s petition for hearing on the basis that it was denied party status in this matter based upon the findings, conclusions, and determinations contained in the Director’s Order of July 22, 2005, in the *Matter of Distribution of Water to Various Water Rights Held by or for the Benefit of A&B Irrigation District, American Falls Reservoir District #2, Burley Irrigation District, Milner Irrigation District, Minidoka Irrigation District, Northside Canal Company, and Twin Falls Canal Company*. *Id.* The Director’s decision to deny Idaho Power party status was upheld on appeal by the Honorable D. Duff McKee, 4th Judicial District in and for the County of Ada, in Case No. CV OC 0506175. No further appeal was filed by Idaho Power.

On June 7, 2005, the Director responded to IGWA's 2005 Replacement Water Plan by issuing his *Order Regarding IGWA Replacement Water Plan (Blue Lakes Delivery Call)* ("June 2005 Order"). The June 2005 Order found that the 2005 Replacement Water Plan would add 5.3 cfs to the affected reach; thus, the Replacement Water Plan did not result in the addition of enough water, 10 cfs, to mitigate injury. In order to comply with the May 2005 Order, the Director stated that IGWA and associated ground water users must: (a) undertake additional actions in 2005 to provide an additional 4.7 cfs in steady state reach gains to the Devil's Washbowl to Buhl spring reach; (b) curtail water rights in 2005 sufficient to supply the additional 4.7 cfs of steady state reach gains; or (c) supply a full 10.0 cfs of water of suitable quality to Blue Lakes during 2005. *June 2005 Order* at p. 14, ¶ 11. IGWA was given until June 14, 2005, to demonstrate that it could provide the necessary water to satisfy the phased-in requirements of the May 2005 Order, or face curtailment.

After the issuance of the June 2005 Order, IGWA submitted additional proposals for replacement water to the Department on June 14 and June 17, 2005, respectively. *IGWA's Response to Director's June 7, 2005 Order Regarding Replacement Water Plan (Blue Lakes Delivery Call)* ("IGWA's Response") and *IGWA's First Supplemental Response to Director's June 7, 2005 Order Regarding Replacement Water Plan (Blue Lakes Delivery Call)* ("IGWA's Supplemental Response"). The Response and Supplemental Response proposed additional substitute curtailment activities in two areas: (1) conversions from ground water irrigation to surface water irrigation; and (2) reductions in ground water irrigation and idling of lands, also referred to as voluntary curtailments.

On July 6, 2005, the Director issued an order in response to IGWA's Response and Supplemental Response. *Order Approving IGWA Substitute Curtailment Plan (Blue Lakes Delivery Call)* ("July 2005 Order"). An examination of the Response and the Supplemental Response led to the conclusion that "IGWA and its member ground water districts receive credit for 12.2 steady state gain to the Devil's Washbowl to Buhl reach for conversions from ground water irrigation to surface water irrigation, and voluntary curtailment of ground water irrigation and idling of other lands." *July 2005 Order* at p. 9, ¶ (1). Continued ground water use on acres that were converted from ground water to surface water was permitted, provided that the request was received by the Department on or before July 15, 2005. *Id.* at p. 10, ¶ (2)(c). Users proposing conversion from ground water to surface water were required to either ensure use of only surface water by disabling the power supplies to ground water diversions or locking valves to delivery systems serving conversion acres; or adequately measure and record both surface water deliveries and ground water diversions. Post-irrigation season re-analysis of reach gains resulting from surface water conversions was also ordered.

On July 14, 2005, IGWA moved the Department to amend the July 2005 Order to allow its members until July 29, 2006, to comply with the requirements in paragraph (2)(c). On July 20, 2005, the Department granted IGWA's motion, subject to certain conditions. *Order Granting IGWA's Extension Request (Blue Lakes Delivery Call)*.

IGWA's 2005 Replacement Water Plan was ultimately approved by the Director on April 29, 2006 ("April 2006 Order"). *Final Order Approving IGWA's 2005 Substitute Curtailments (Blue Lakes Delivery Call)*. The April 2006 Order found that, through "conversions from ground

water irrigation to surface water irrigation and voluntary curtailments[.]” IGWA provided “steady state reach gains of 14.4 cfs to the Devil’s Washbowl to Buhl spring reach[.]” *Id.* at p. 8. The April 2006 Order further stated “that on or before May 30, 2006, the North Snake Ground Water District and the Magic Valley Ground Water District must submit plans for substitute curtailment to the Director that will provide 20 cfs of steady state gain to the Devil’s Washbowl to Buhl reach of the Snake River, or otherwise provide replacement water as provided in the Director’s Order dated May 19, 2005. Failure to submit sufficient replacement water or an acceptable substitute curtailment plan(s) will result in curtailment of ground water diversions as described in the Director’s Order dated May 19, 2005.” *Id.*

On May 8, 2006, in response to a request from IGWA, the Department served upon IGWA and the other parties to this matter certain spreadsheets and other materials related to the Department’s review and conclusions concerning IGWA’s 2005 substitute curtailments for the Blue Lakes delivery call.

On May 12, 2006, IGWA filed a *Petition for Reconsideration of Order Approving IGWA’s 2005 Substitute Curtailments (Blue Lakes Delivery Call)* (“Petition for Reconsideration”). IGWA asserted that the April 2005 Order improperly underestimated the credits the Magic Valley and North Snake ground water districts should have received for their 2005 substitute curtailments. In addition, IGWA requested a stay of the Director’s April 2005 Order until such time as a hearing is convened. On May 18, 2006, Blue Lakes filed its *Objection to Motion for Stay* (“Objection”), arguing that a stay is not justified “while junior ground water pumping continues to deplete Blue Lakes’ water rights.” *Objection* at p. 2.

On May 19, 2006, the Director denied IGWA’s request for stay; however, the Director granted IGWA’s request for a hearing on its Petition for Reconsideration, which was scheduled for and did occur on June 5, 2006. *Order Denying Request for Stay and Scheduling Hearing on Petition for Reconsideration of Order Approving IGWA’s 2005 Substitute Curtailments (Blue Lakes Delivery Call)*.

On May 30, 2006, the Department received the *North Snake Ground Water District’s and Magic Valley Ground Water District’s Joint Plan for Providing Replacement Water for 2006* (“2006 Replacement Plan”), which was “submitted to respond to the requirements of both the Blue Lakes Order and the Clear Springs Order. This 2006 Plan documents how the Districts will comply with the Department’s phased-in requirements intended to increase spring flows in the Devil’s Washbowl to Buhl Gage spring reach . . . and the Buhl to Thousand Springs reach . . . .” *2006 Replacement Plan* at p. 2.

On June 9, 2006, the Department sent a letter to IGWA—a copy of which was sent to all parties—outlining the Department’s review of the 2006 Replacement Water Plan. The letter found that the 2006 Replacement Water Plan did not adequately describe the purported augmentation/recharge reach gains. Therefore, the Department requested additional information from IGWA on or before June 19, 2006. “Failure to submit the information could result in rejection of the augmentation component of the plan and possible forced curtailment of water rights.”

On June 14, 2006, the Department received a letter from IGWA, which provided responses to the infirmities described by the Department's June 9, 2006, letter.

On June 30, 2006, the Fifth Judicial District Court entered a judgment following its decision of June 2, 2006, declaring the Department's Conjunctive Management Rules, upon which the Director relied in administering the Blue Lakes delivery call, were facially invalid on constitutional grounds. *American Falls Reservoir District #2 et al. v. Idaho Department of Water Resources*, Case No. CV-2005-600 (5th Jud. Dist., Gooding County) (hereinafter *AFRD#2*). On July 11, 2006, the Department filed an appeal with the Idaho Supreme Court, which resulted in a stay of the judgment for a period of fourteen days. The Department also filed a motion for stay with the Idaho Supreme Court.

On July 21, 2006, Blue Lakes submitted a letter to the Director in response to the 2006 Replacement Water Plan. The letter stated that because of the district court's finding that the Conjunctive Management Rules were invalid, all of the Director's prior actions in this matter were void and must be revisited.

On July 28, 2006, the parties were requested to provide the Director with briefing describing their positions regarding the nature of further proceedings, if any, that should occur before the Department, pending action on the Department's appeal and motion for stay of the district court's judgment.<sup>2</sup> *Order Requesting Briefing on Nature of Further Proceedings (Blue Lakes Delivery Call)*. On August 7, 2006, briefing was received from IGWA and Blue Lakes. Since a hearing has yet to occur in the Blue Lakes' delivery call, IGWA requested that the Director order a hearing during February 2007. *IGWA's Response to Order Requesting Briefing on Further Proceedings*. As previously stated in its July 21, 2006, letter, Blue Lakes reiterated its position regarding the Conjunctive Management Rules and the Director's duty to administer its water rights in accordance with priority. *Blue Lakes Trout Farm Inc.'s Response to July 28, 2006 Order*. Furthermore, Blue Lakes renewed its request that the Director recuse himself and appoint an independent hearing officer.

Following the issuance of the Idaho Supreme Court's decision in *AFRD#2* on March 5, 2007, the Department and parties to the Blue Lakes delivery call participated in numerous, informal discussions regarding resolution of Blue Lakes' call for delivery of senior surface water rights.

On April 9, 2007, the Department received the *North Snake Ground Water District and Magic Valley Ground Water District Joint Replacement Water Plan for 2007*. On April 13, the Department received mitigation agreements from the Idaho Dairymen's Association and the Water Mitigation Coalition.

With no settlement reached, on April 30, 2007, letters were sent to junior ground water users in the Thousand Springs Area of the Director's intent to issue curtailments on May 14, 2007. "The orders will implement year three of the five-year phased curtailment schedules ordered on May 19, 2005, in response to the Blue Lakes Trout Farm, Inc. delivery call . . . ."

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<sup>2</sup> The Department's Motion for Stay to the Idaho Supreme Court was denied on September 29, 2006.

“The orders will affect consumptive ground water rights bearing priority dates later than May 10, 1983 for the Blue Lakes call . . . including ground water rights for irrigation, commercial, industrial, municipal, non-exempt domestic use, and other consumptive uses. Non-consumptive uses and culinary in-house uses of water will not be subject to curtailment under the orders.”

On May 7, 2007, IGWA filed a *Complaint for Declaratory Relief, Writ of Prohibition, Temporary Restraining Order and Preliminary Injunction* (“Complaint”) in the Fifth Judicial District in and for the County of Jerome against the Department. The case was subsequently assigned to the Honorable John K. Butler, who, on May 8, 2007, granted IGWA’s request for a temporary restraining order, thereby restraining and enjoining the Department from “issuing a Curtailment Order or curtailing Plaintiffs from pumping ground water . . . to prevent immediate and irreparable harm or injury and to maintain the status quo pending a hearing on Plaintiffs’ Application for a Preliminary Injunction.” *Temporary Restraining Order* at p. 2. The Department moved to dismiss IGWA’s Complaint, and was later joined by other interested entities, including Blue Lakes. Judge Butler was disqualified and the case reassigned to the Honorable John M. Melanson, who, on June 6, 2007, in a ruling from the bench, dissolved the temporary restraining order issued by Judge Butler and granted the motions to dismiss IGWA’s Complaint for failure to exhaust administrative remedies.

On June 6, 2007, the Director issued a *Notice of Status Conference* (“Notice”) to interested parties in the calls for delivery of senior surface water in the Thousand Springs area of the Snake River. The Notice provided for a status conference on June 8, 2007, for purposes of discussing the issuance of curtailment orders, the setting of hearing dates, matters related to the hearing process, and any other issues relevant to the delivery calls. On July 8, 2007, a status conference was conducted at which the topics identified in the Notice were discussed.

Based upon the Director’s consideration of this matter, the Director enters the following Findings of Fact, Conclusions of Law, and Order.

### **FINDINGS OF FACT**

1. Findings of Fact set forth in the May 2005 Order, as well as all subsequent orders related thereto, as applicable, are incorporated into this order by reference.

#### **Blue Lakes’ Water Rights**

2. The water rights that Blue Lakes sought to have protected by the administration of junior priority water rights, which have been decreed by the Snake River Basin Adjudication District Court and total 197.06 cfs for year-round use for fish propagation, are as follows:

Water Right No.:	36-02356A	36-07210	36-07427
Source:	Alpheus Creek	Alpheus Creek	Alpheus Creek
Priority Date:	May 29, 1958	November 17, 1971	December 28, 1973

Diversion Rate:	99.83 cfs	45.00 cfs	52.23 cfs
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3. Water District Nos. 34, 120, and 130 were created pursuant to Idaho Code § 42-604. Water District Nos. 34, 120, and 130 include water rights that are junior in priority to Blue Lakes' water rights and are from ground water that is hydraulically connected to the source for Blue Lakes' water rights. Diversion of ground water under these rights could potentially interfere with Blue Lakes' water rights.

4. While there are water rights located in Water District No. 140 that are junior in priority to Blue Lakes' water rights and are from ground water that is hydraulically connected to the source for Blue Lakes' water rights, Water District No. 140 is not yet in operation and the rights are therefore not considered in this order.

### **ESPA Ground Water Model and Phased-In Substitute Curtailment**

5. Ground water in the Eastern Snake Plain Aquifer ("ESPA") is hydraulically connected to the Snake River and tributary surface water sources at various places and to varying degrees. One of the locations at which a direct hydraulic connection exists between the ESPA and springs tributary to the Snake River is in the Thousand Springs area.

6. The Department uses a calibrated ground water model to determine the effects on the ESPA and hydraulically-connected reaches of the Snake River and its tributaries from pumping a single well in the ESPA, from pumping selected groups of wells, and from surface water uses on lands above the ESPA.

7. The Department is implementing full conjunctive administration of rights to the use of hydraulically-connected surface and ground waters within the Eastern Snake River Plain consistent with Idaho law, which includes the Department's Conjunctive Management Rules, and other available information. The results of simulations from the ESPA ground water model are suitable for making factual determinations on which to base conjunctive administration of surface water rights diverted from the Snake River and its tributaries and ground water rights diverted from the ESPA. Unless otherwise stated to the contrary, all references to the ESPA ground water model are to version 1.1.

8. The ESPA ground water model represents the best available science for determining the effects of ground water diversions and surface water uses on the ESPA and hydraulically-connected reaches of the Snake River and its tributaries. There currently is no other technical basis as reliable as the simulations from the ESPA ground water model for the ESPA that can be used to determine the effects of ground water diversions and surface water uses on the ESPA and hydraulically-connected reaches of the Snake River and its tributaries.

9. For purposes of the ESPA ground water model, springs in the Thousand Springs area of the Snake River have been aggregated into six spring complexes, or spring reaches: Devil's Washbowl to the USGS stream gage located near Buhl, Idaho ("Buhl Gage"); Buhl Gage to Thousand Springs; Thousand Springs; Thousand Springs to Malad Gorge; Malad Gorge; and

Malad Gorge to Bancroft. Blue Lakes' previously described water rights divert from Alpheus Creek, which is located in the Devil's Washbowl to Buhl Gage spring reach of the Snake River.

10. As established in the May 2005 Order, junior priority ground water users were ordered to mitigate for their depletive effect, offset by substitute curtailment, over a period of five years. *May 2005 Order* at p. 29. "[P]hased curtailment under the substitute plan(s) must result in simulated cumulative increases to the average discharge of springs in the Devil's Washbowl to Buhl Gage spring reach at steady state conditions of at least 10 cfs, 20 cfs, 30 cfs, 40 cfs, and 51 cfs, respectively, for each year of the five-year period in which curtailment is implemented." *Id.*

11. In 2005, the first year of phased-in curtailment, it was determined by the Director that IGWA provided 12.2 cfs (2.2 cfs overage) to the Devil's Washbowl to Buhl Gage spring reach. *Order Approving IGWA Substitute Curtailment Plan (Blue Lakes Delivery Call)* (July 6, 2005).

12. In 2006, the second year of phased-in curtailment, it was determined by the Director that IGWA proposed 16.5 cfs (3.5 cfs shortfall) to the Devil's Washbowl to Buhl Gage spring reach. *See North Snake Ground Water District's and Magic Valley Ground Water District's Joint Plan for Providing Replacement Water for 2006*. In using the ESPA ground water model, the Director calculated the amount of water provided by IGWA, in cubic feet per second, as follows:

Recharge <sup>3</sup>	Voluntary Reductions <sup>4</sup>	Conversions <sup>5</sup>	Conveyance Loss <sup>6</sup>	Total Provided	Required	Shortfall
0.0	1.8	11.0	3.7	16.5	20.0	3.5

<sup>3</sup> As identified by IGWA in its substitute curtailment plans, 10,000 acre-feet of water would be secured for purposes of recharge. Recharge was computed by identifying model cells intersected by the North Side Canal, which delivers the identified recharge water. For the computation, 10,000 acre-feet of recharge water was applied to the model over a six month period, then withdrawn for the following six months. Recharge to the Buhl Gage to Thousand Springs reach of the Snake River was computed on a transient basis because it is uncertain whether IGWA will be able to obtain and provide water for recharge every year.

<sup>4</sup> Voluntary reductions are those lands that are voluntarily idled. Idled acres are identified and average net evapotranspiration (average evapotranspiration from the ESPA ground water model less average model precipitation) is applied to the acres to calculate the acres' consumptive use. The calculation of consumptive use is applied to model cells in which idled acres are located. The model is then run in steady state as idling of acres should continue over time.

<sup>5</sup> Wells (points of diversion) were identified that previously supplied ground water to conversion acres. Recorded surface water deliveries to the acres were applied to the model cell containing the well, and the credit to spring reach was computed on a steady state basis.

<sup>6</sup> Conveyance loss was computed by identifying model cells intersected by the North Side Canal in-route to deliver surface water to conversion acres. A conveyance loss of 30 percent was apportioned, as thirty percent is the loss charged by the North Side Canal Company for delivery of a set volume of water to its customers. Conveyance loss to the aquifer and credit to the spring reach was computed on a steady state basis because IGWA has been supplying water to conversion acres for several years.



13. In 2005, conveyance loss for water held by IGWA that was delivered through the North Side Canal was not calculated or credited by the Director. On June 5, 2006, a hearing was held on IGWA's *Petition for Reconsideration of Order Approving IGWA's 2005 Substitute Curtailment Plan (Blue Lakes)*. At the hearing, IGWA argued in favor of receiving a 30 percent credit for conveyance loss for water delivered to conversion acres through the North Side Canal. It was established at the hearing that the North Side Canal Company charges its customers 30 percent conveyance loss. Based on the conveyance loss charged by the North Side Canal Company, the Director finds that it is reasonable to calculate conveyance loss for purposes of determining reach gain attributable to IGWA.

14. While IGWA was 3.5 cfs deficient in its proposed substitute curtailment obligation for 2006, involuntary curtailment of junior priority ground water rights was not ordered. Until the Idaho Supreme Court on March 5, 2007 reversed Judge Wood's holding that the Department's Conjunctive Management Rules were facially unconstitutional, the Department did not have rules under which to enforce the terms of its May 2005 Order. Since the Supreme Court's ruling, the Department and parties to Blue Lakes' call for delivery of senior surface water rights have been working toward resolution for 2007. As of this time, however, resolution for 2007 has not occurred.

15. In 2007, the third year of phased-in curtailment, the Director has determined that IGWA has proposed to provide 19.6 cfs (10.4 cfs shortfall) to the Devil's Washbowl to Buhl Gage spring reach. *See North Snake Ground Water District and Magic Valley Ground Water District Joint Replacement Water Plan for 2007*. In using the ESPA ground water model, the Director has calculated the amount of water provided by IGWA, in cubic feet per second, as follows:

Recharge	Voluntary Reductions	Conversions	Conveyance Loss	CREP <sup>7</sup>	Total Provided	Required	Shortfall
1.6	0.0	3.7	11.0	3.3	19.6	30.0	10.4

16. Based on the Director's calculations using the ESPA ground water model, IGWA's 2007 proposal has not provided sufficient water through substitute curtailment or other means of mitigation to fulfill its obligation for phased-in curtailment under the May 2005 Order.

#### **IDA and WMC Mitigation Agreements**

17. On April 13, 2007, the Department received agreements to mitigate depletions caused by participant members of the Idaho Dairymen's Association ("IDA") and the Water

<sup>7</sup> Ground water irrigated lands eligible for set aside under the Conservation Reserve Enhancement Program ("CREP") were identified through records filed with the United States Department of Agriculture's Farm Service Agency. CREP was first implemented for use in 2007. Average crop consumptive use for each model cell in which CREP acres are located was computed, less 1/3 acre-feet during the first year (1/3 acre-feet obtained from ground water pumping is allowed under the program to establish ground cover). The credit to the spring reach for CREP acres was computed on a steady state basis. Pursuant to the terms of CREP, non-irrigation of enrolled acres must occur for fifteen years.

Mitigation Coalition ("WMC"), comprised of the J.R. Simplot Company, Basic American Foods, a division of Basic American, Inc., and ConAgra Foods Packaged Foods Company, Inc., d/b/a Lamb-Weston. Hereinafter, the agreements shall be referred to as the "IDA Agreement" and the "WMC Agreement," respectively.

18. Parties to the WMC Agreement include the WMC, the Senior Water Coalition, comprised of members of the Surface Water Coalition and Clear Springs Foods, Inc., and the Minidoka Irrigation District ("MID"). According to the WMC Agreement, mitigation would be achieved by annual rentals of 10,000 acre-feet of MID storage water, when available, through the Upper Snake Rental Pool, to be delivered to members of the Senior Water Coalition. If MID's storage water supply is less than 275,000 acre-feet on June 1<sup>st</sup> of any given year, MID need not lease the water, and the WMC must instead pay a predetermined equivalent water rental fee to members of the Senior Water Coalition. The term of the WMC Agreement is 20 years.

19. A review of the WMC Agreement shows that all but one of the ground water rights that the Agreement proposes to mitigate for are located outside of Water District No. 130. The one ground water right that is located in Water District No. 130 is water right no. 36-8471, held by the J.R. Simplot Company for commercial use with a diversion rate of .18 cfs (3.60 acre-feet) and a priority date of October 4, 1989.

20. Parties to the IDA Agreement include the IDA and signing members, the Thousand Spring Water Users Association and signing members, Clear Springs Foods, Inc., and members of the Surface Water Coalition. Individual dairies have not yet signed the IDA Agreement. According to the IDA Agreement, mitigation would be achieved by drying up acres or conveying rented storage water through the North Side Canal Company system. The IDA Agreement intends to mitigate for the depletion of water pumped from the ESPA for dairy cattle and milk production facilities. Under the IDA Agreement, mitigation was calculated at 29.1 gallons of water per day for dairy uses associated with each mature cow. Mitigation would be phased-in as follows: 25% mitigation within 12 months; 60% mitigation within 18 months; and 100% mitigation within 24 months. The IDA Agreement states that it will remain in effect until senior rights are fully satisfied for five consecutive years, unless terminated by the IDA upon the joining of another approved mitigation plan.

21. Initial review of the IDA Agreement by Department staff indicates that the depletion to the ESPA caused by dairy uses associated with one mature cow is 74 gallons of water per day. The Department has requested and is currently awaiting additional information from IDA regarding its Agreement. See <http://www.idwr.idaho.gov/Calls/Spring%20Users%20Calls/IDWR%20letter%20re%20Dairymen's%20Mitigation%20Agreement%20June%201%202007.pdf> (last visited June 15, 2007). The deadline for submittal of additional information is July 3, 2007.

22. Even though individual dairies have not signed the IDA Agreement, the intent of the Agreement is to provide mitigation for depletions caused by members of the IDA. Therefore, the IDA Agreement should be conditionally accepted and junior priority ground water rights held by members of the IDA that sign the IDA Agreement should not be curtailed. If, after consideration of the additional information that should be submitted by the IDA on or before

July 3, 2007, it is determined by the Director that 29.1 gallons of water per day does not provide sufficient mitigation for signing members in 2007, the third year of the five-year phased-in substitute curtailment period established in the May 2005 Order, junior priority ground water rights held by signing members of the IDA should be curtailed.

23. Until the Director makes a final determination of the amount of mitigation required by the IDA, junior priority ground water rights held by members of the IDA should be included in the list of junior ground water rights that are subject to curtailment. Non-signing members of the IDA Agreement should be subject to curtailment.

### **A&B Mitigation Plan**

24. On May 9, 2007, the Department received the *Mitigation Plan of A&B Irrigation District for Diversions Under Water Right Nos. 36-15127B, 36-15193B, 36-15194B, 36-15195B, and 36-15196B* ("A&B Plan"). The A&B Plan states that the water right numbers listed in the caption of the Plan provide for the irrigation of 2,063.1 acres within the A&B Irrigation District with ground water diverted from the ESPA. According to the A&B Plan, A&B Irrigation District has curtailed the diversion of ground water on 1,377.8 acres. The 1,377.8 acres that are no longer irrigated with ground water have been converted to surface water. The surface water supplying the conversion acres is storage water located in American Falls and Palisades reservoirs. An intent of the A&B Plan is to "mitigate any effects upon the water supplies of the parties in the Thousand Springs area of the ESPA." *A&B Plan* at p. 4.

25. In the third year of the five-year phased-in curtailment period identified in the May 2005 Order, holders of junior ground water rights are required to mitigate for 60 percent of their depletions to the affected reaches of the ESPA. Because conversions of acres from ground water to surface water (1,377.8) under the A&B Plan total at least 60 percent of the number of acres irrigated by junior priority ground water rights (2,063.1), the A&B Plan should be approved for 2007 as it provides for sufficient mitigation in year three of the five-year phased-in curtailment period identified in the May 2005 Order.

### **Curtailment**

26. As previously stated, IGWA's obligation for phased-in substitute curtailment or other means of mitigation under the May 2005 Order is 30.0 cfs in 2007. Based on the Director's calculations using the ESPA ground water model, IGWA has committed to provide mitigation that will result in 19.6 cfs of computed reach gains in the Devil's Washbowl to Buhl Gage spring reach for 2007; therefore, IGWA is 10.4 cfs deficient in its obligation.

27. The deficiency of 10.4 cfs to the Devil's Washbowl to Buhl Gage spring reach is partially reduced, however, by the IDA Agreement. The IDA Agreement, as currently proposed and conditionally accepted for 2007, provides 3.3 cfs in reach gains to the Devil's Washbowl to Buhl Gage spring reach. Because of the 3.3 cfs increase to the Devil's Washbowl to Buhl Gage spring reach, IGWA's 2007 deficiency should be reduced from 10.4 cfs to 7.1 cfs.

28. Based on the simulations using the ESPA ground water model, and taking into consideration the IDA Agreement that provides 3.3 cfs of reach gain to the Devil's Washbowl to Buhl Gage spring reach, it is estimated that curtailing the diversion and use of junior priority ground water rights on an ongoing basis under water rights within Water District Nos. 34 and 130 that have priority dates junior to December 9, 1990 would mitigate the deficiency of 7.1 cfs to the Devil's Washbowl to Buhl Gage spring reach.

29. Water right no. 36-8471, held by the J.R. Simplot Company, which is located in Water District No. 130, is not subject to curtailment under Blue Lakes' delivery call as its priority date is not junior to December 9, 1990.

30. Based on simulations using the ESPA ground water model, there are no water rights located in Water District No. 120 that, if curtailed, would provide more than ten percent to the Devil's Washbowl to Buhl Gage spring reach. Since ten percent is the established uncertainty for the ESPA ground water model, *May 2005 Order* at p. 5, ¶ 16, those rights were not considered.

31. Junior priority ground water rights used for *de minimis* domestic purposes where such domestic use is within the limits of the definition set forth in Idaho Code § 42-111 and ground water rights used for *de minimis* stock watering where such stock watering use is within the limits of the definitions set forth in Idaho Code § 42-1401A(12), pursuant to IDAPA 37.03.11.020.11, were not considered for curtailment. Junior priority ground water rights for domestic and stock water purposes that are deemed *de minimis* are excluded from this order because their overall depletionary impact to the ESPA is negligible. Nevertheless, cumulative depletionary impacts to the ESPA caused by *de minimis* domestic and stock water rights are being examined and will be taken into consideration in the future.

32. Included with this order is an attachment listing all junior priority ground water rights that are subject to curtailment. In Water District No. 34, there are approximately six (6) junior priority ground water rights that are subject to curtailment. Curtailment of junior priority ground water rights in Water District No. 34 would impact approximately 151 acres.

33. In Water District No. 130, there are approximately 243 junior priority ground water rights that are subject to curtailment under the delivery call filed by Blue Lakes. Of that number, there are approximately 155 junior priority ground water rights in Water District No. 130 that are subject to curtailment under the delivery calls filed by Blue Lakes and Clear Spring Foods, Inc. Curtailment of junior priority ground water rights in Water District No. 130 under Blue Lakes' delivery call would result in the curtailment of 5,238 acres.

## CONCLUSIONS OF LAW

1. Conclusions of Law set forth in the May 2005 Order, as well as all subsequent orders related thereto, as applicable, are incorporated into this order by reference. All findings of fact in this order later deemed to be conclusions of law are hereby made as conclusions of law.

2. Idaho Code § 42-602, addressing the authority of the Director over the supervision of water distribution within water districts, provides:

The director of the department of water resources shall have direction and control of the distribution of water from all natural water sources within a water district to the canals, ditches, pumps and other facilities diverting therefrom. Distribution of water within water districts created pursuant to section 42-604, Idaho Code, shall be accomplished by watermasters as provided in this chapter and supervised by the director. The director of the department of water resources shall distribute water in water districts in accordance with the prior appropriation doctrine. The provisions of chapter 6, title 42, Idaho Code, shall apply only to distribution of water within a water district.

In addition, Idaho Code § 42-1805(8) provides the Director with authority to “promulgate, adopt, modify, repeal and enforce rules implementing or effectuating the powers and duties of the department.”

3. Idaho Code § 42-603 grants the Director authority to adopt rules governing water distribution. In accordance with chapter 52, title 67, Idaho Code, the Department adopted rules regarding the conjunctive management of surface and ground water effective October 7, 1994. IDAPA 37.03.11. The Conjunctive Management Rules prescribe procedures for responding to a delivery call made by the holder of a senior priority surface or ground water right against junior priority ground water rights in an area having a common ground water supply. IDAPA 37.03.11.001.

4. The Letter received by the Director on March 22, 2005 from Gregory Kaslo of Blue Lakes should be treated as a delivery call under Rule 10.04 of the Conjunctive Management Rules.

5. Based on the May 2005 Order, curtailment of junior priority ground water rights in response to the Blue Lakes call for delivery of senior surface water was phased-in over a period of five years. Involuntary curtailment has not been ordered if junior priority ground water right holders could provide substitute curtailment water to mitigate for depletions caused by the diversion of water under junior priority ground water rights from the ESPA.

6. In 2005, IGWA met its obligation under the May 2005 Order to provide 10.0 cfs in substitute curtailment water to the Devil’s Washbowl to Buhl Gage spring reach.

7. In 2006, IGWA did not meet its obligation under the May 2005 order to provide 20.0 cfs of substitute curtailment water to the Devil’s Washbowl to Buhl Gage spring reach. Involuntary curtailment of junior priority ground water rights was not ordered, however, because the Department’s Conjunctive Management Rules were deemed unconstitutional by the Fifth Judicial District Court in 2006, putting the Director in the position of not being able to enforce the terms of his May 2005 Order. That decision was later reversed by the Idaho Supreme Court in *AFDR#2*, but not until March 5, 2007. Because substitute curtailment required in the second year of the five-year phased-in curtailment period in the May 2005 Order was not enforceable, and because substitute curtailment is based on steady state increases to the affected spring reaches, any deficiency resulting from 2006 will not be carried forward to subsequent years.

8. IGWA has not met its 2007 obligation under the May 2005 Order to provide 30.0 cfs to the Devil's Washbowl to Buhl Gage spring reach. While IGWA has provided 19.6 cfs to the affected reach through its 2007 Replacement Agreement, a deficiency of 10.4 cfs remains.

9. The 10.4 cfs deficiency in the Devil's Washbowl to Buhl Gage spring reach is reduced by the IDA Agreement, which provides 3.3 cfs in reach gains to the Devil's Washbowl to Buhl Gage spring reach.

10. Based on IGWA's 2007 Replacement Plan and the IDA Agreement, reach gains to the Devil's Washbowl to Buhl Gage spring reach are deficient by 7.1 cfs in 2007. Based on simulations using the ESPA ground water model, in order to provide 7.1 cfs of reach gains to the Devil's Washbowl to Buhl Gage spring reach, the Director should order curtailment of junior priority ground water rights bearing priority dates junior to December 9, 1990 that are located in Water District Nos. 34 and 130. There are no junior priority ground water rights located in Water District No. 120 that, if curtailed, would provide more than ten percent of their curtailed amount to the Devil's Washbowl to Buhl Gage spring reach.

11. Members of the IDA that hold junior priority ground water rights that sign the IDA Agreement should not be subject to curtailment. If, however, the Director determines that the IDA's proffered 29.1 gallons per day for depletions caused by dairy uses associated with each mature cow to the ESPA is insufficient for purposes of mitigation in the third year of the five-year phased-in substitute curtailment period established in the May 2005 Order, junior priority ground water rights held by participating members to the IDA Agreement should be subject to curtailment. Members of the IDA that hold junior priority ground water rights that do not sign the IDA Agreement should be subject to curtailment.

12. The A&B Irrigation District has mitigated at least 60 percent of acres irrigated by junior ground water rights through conversions from ground water to surface water on other acres. Therefore, junior ground water rights held by the A&B Irrigation District are not subject to curtailment in 2007 based on compliance with the terms of the May 2005 Order, which required 60 percent of mitigation to the Devil's Washbowl to Buhl Gage spring reach to be achieved in 2007.

13. As provided by the May 2005 Order, plans for mitigation, replacement water, or substitute curtailment should be submitted on behalf of holders of junior priority ground water rights by the ground water district(s) in which such water rights are located. If a plan for substitute curtailment submitted by a ground water district(s) is received by the Department on or before June 29, 2007, and the plan is deemed acceptable by the Director, in whole or in part, the Director should modify the priority date identified for curtailment and reduce the number of curtailed junior priority ground water rights in the affected water district(s), or possibly rescind the ordered curtailment. Plans for mitigation, replacement water, or substitute curtailment that are submitted after June 29, 2007 should not be considered by the Director.

14. Ground water users who hold junior priority ground water rights and are not members of a ground water district that is providing approved mitigation, replacement water

supply, or substitute curtailment, should be deemed a non-member participant for mitigation purposes pursuant to H.B. 737 (*Act Relating to the Administration of Ground Water Rights within the Eastern Snake River Plain*, ch. 356, 2006 Idaho Sess. Laws 1089) and should be required to pay the ground water district that is providing approved mitigation, replacement water supply, or substitute curtailment nearest the lands to which the water right is appurtenant for mitigation purposes pursuant to Idaho Code § 42-5259. If the holder of such a junior priority ground water right elects not to join the ground water district or does not have an approved mitigation, replacement water supply, or substitute curtailment plan, the Director should order curtailment.

15. If a ground water district is not providing full mitigation for depletions caused by holders of junior ground water rights located within the district, individuals may submit mitigation plans, replacement water plans, or substitute curtailment plans to the Department on or before June 29, 2007. If the replacement plan, mitigation plan, or substitute curtailment plan is deemed acceptable by the Director, the Director should take appropriate action, up to excluding the identified junior priority ground water right from curtailment. Plans for mitigation, replacement water, or substitute curtailment that are submitted after June 29, 2007 should not be considered by the Director.

16. Curtailment should apply to consumptive ground water rights for agricultural, commercial, industrial, and municipal uses, excluding ground water rights used for *de minimis* domestic purposes where such domestic use is within the limits of the definition set forth in Idaho Code § 42-111 and ground water rights used for *de minimis* stock watering where such stock watering use is within the limits of the definitions set forth in Idaho Code § 42-1401A(12), pursuant to IDAPA 37.03.11.020.11.

17. In the event that junior priority ground water users do not voluntarily comply with ordered curtailment, the Director should enforce the terms of this order in accordance with Idaho law, which includes, but is not limited to, the procedures outlined in Idaho Code §§ 42-351 (Illegal diversion or use of water—Enforcement procedure—Injunctive relief), 42-607 (Distribution of Water), and 42-1701B (Enforcement procedure—Notice—Consent order).

## **ORDER**

In response to the water delivery call made by Blue Lakes Trout Farm, Inc., and for the reasons stated in the foregoing Findings of Fact and Conclusions of Law, the Director ORDERS as follows:

IT IS HEREBY ORDERED that the watermaster for Water District No. 130 and the Idaho Department of Water Resources' supervisor for water distribution for Water District No. 34 are directed to issue written notices within five (5) days of the date of this order to the holders of certain consumptive ground water rights located in Water District Nos. 34 and 130, listed in the attachment to this order, and bearing priority dates junior to December 9, 1990. The written notices are to advise the holders of the identified ground water rights that their rights are subject to curtailment in accordance with the terms of this order. This order shall apply to consumptive

ground water rights for agricultural, commercial, industrial, and municipal uses, excluding ground water rights used for *de minimis* domestic purposes where such domestic use is within the limits of the definition set forth in Idaho Code § 42-111 and ground water rights used for *de minimis* stock watering where such stock watering use is within the limits of the definitions set forth in Idaho Code § 42-1401A(12), pursuant to IDAPA 37.03.11.020.11.

IT IS FURTHER ORDERED that the Mitigation Plan submitted by the Idaho Dairymen's Association, the Thousand Spring Water Users Association and signing members, Clear Springs Foods, Inc., and members of the Surface Water Coalition, is conditionally approved. Members of the Idaho Dairymen's Association who sign the Mitigation Plan on or before July 6, 2007 shall not be subject to curtailment unless the Director determines—after consideration of requested information that must be submitted to the Director no later than July 3, 2007—that the Mitigation Plan is insufficient to mitigate for depletions to the Eastern Snake Plain Aquifer caused by the Idaho Dairymen's Association in the third year of the five-year phased-in substitute curtailment period.

IT IS FURTHER ORDERED that the *Mitigation Plan of A&B Irrigation District for Diversions Under Water Right Nos. 36-15127B, 36-15193B, 36-15194B, 36-15195B, and 36-15196B*) is approved for 2007 and junior priority ground water rights held by the A&B Irrigation District are not subject to curtailment.

IT IS FURTHER ORDERED that enforcement of this order shall not occur until July 6, 2007, three weeks from the issuance of this order. If a plan(s) for mitigation, replacement water supply, or substitute curtailment is received by the Department on or before June 29, 2007, from a ground water district(s) on behalf of its members or non-member participants, the Director shall approve or deny the plan(s), in whole or in part, before July 6, 2007. To the extent that the plan is deemed acceptable by the Director, in whole or in part, the Director shall modify the identified priority date and reduce the number of curtailed junior priority ground water rights, or possibly rescind the ordered curtailment. Plans for mitigation, replacement water, or substitute curtailment that are received after June 29, 2007 will not be considered by the Director.

IT IS FURTHER ORDERED that if a ground water district is not providing full mitigation for depletions caused by holders of junior ground water rights located within the district, individuals may submit mitigation plans, replacement water plans, or substitute curtailment plans to the Department on or before June 29, 2007. If the replacement plan, mitigation plan, or substitute curtailment plan is deemed acceptable by the Director, the Director should take appropriate action, up to excluding the identified junior priority ground water right from curtailment. Plans for mitigation, replacement water, or substitute curtailment that are received after June 29, 2007 will not be considered by the Director.

IT IS FURTHER ORDERED that if junior priority ground water right holders for whom mitigation plans are deemed inadequate do not voluntarily cease diversions by July 6, 2007 in compliance with this order, the Director shall enforce the terms of this order in accordance with Idaho law.



IT IS FURTHER ORDERED that this is a final order of the agency. Any party may file a petition for reconsideration of this final order within fourteen (14) days of the service date of this order. The agency will dispose of the petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law pursuant to Idaho Code § 67-5246.

IT IS FURTHER ORDERED that any person aggrieved by this decision shall be entitled to a hearing before the Director to contest the action taken provided the person files with the Director, within fifteen (15) days after receipt of written notice of the order, or receipt of actual notice, a written petition stating the grounds for contesting the action and requesting a hearing. Any hearing conducted shall be in accordance with the provisions of chapter 52, title 67, Idaho Code, and the Rules of Procedure of the Department, IDAPA 37.01.01. Judicial review of any final order of the Director issued following the hearing may be had pursuant to Idaho Code § 42-1701A(4).

Dated this 15<sup>th</sup> day of June, 2007.

  
\_\_\_\_\_  
DAVID R. TUTHILL, JR.  
Director

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15<sup>th</sup> day of June, 2007, the above and foregoing document was served by placing a copy of the same in the United States mail, postage prepaid and properly addressed to the following:

RANDY BUDGE  
CANDICE M. MCHUGH  
RACINE OLSON  
PO BOX 1391  
POCATELLO ID 83204-1391  
[rcb@racinelaw.net](mailto:rcb@racinelaw.net)  
[cmm@racinelaw.net](mailto:cmm@racinelaw.net)

(x) U.S. Mail, Postage Prepaid  
( ) Facsimile  
(x) E-mail

DANIEL V. STEENSON  
CHARLES L. HONSINGER  
RINGERT CLARK  
PO BOX 2773  
BOISE ID 83701-2773  
(208) 342-4657  
[dvs@ringertclark.com](mailto:dvs@ringertclark.com)  
[clh@ringertclark.com](mailto:clh@ringertclark.com)

(x) U.S. Mail, Postage Prepaid  
( ) Facsimile  
(x) E-mail

GREGORY KASLO  
BLUE LAKES TROUT FARM  
PO BOX 72  
BUHL ID 83316-0072  
(208) 543-8476  
[gkaslo@rmci.net](mailto:gkaslo@rmci.net)

(x) U.S. Mail, Postage Prepaid  
( ) Facsimile  
(x) E-mail

NORTH SNAKE GWD  
152 EAST MAIN STREET  
JEROME ID 83338  
(208) 388-1300

(x) U.S. Mail, Postage Prepaid  
( ) Facsimile  
( ) E-mail

MAGIC VALLEY GWD  
809 EAST 1000 NORTH  
RUPERT ID 83350-9537

(x) U.S. Mail, Postage Prepaid  
( ) Facsimile  
( ) E-mail

MICHAEL S. GILMORE  
ATTORNEY GENERAL'S OFFICE  
PO BOX 83720  
BOISE ID 83720-0010  
(208) 334-2830  
[mike.gilmore@ag.idaho.gov](mailto:mike.gilmore@ag.idaho.gov)

(x) U.S. Mail, Postage Prepaid  
( ) Facsimile  
(x) E-mail

SCOTT CAMPBELL  
MOFFATT THOMAS  
PO BOX 829  
BOISE ID 83701  
(208) 385-5384  
[slc@moffatt.com](mailto:slc@moffatt.com)

(x) U.S. Mail, Postage Prepaid  
( ) Facsimile  
(x) E-mail

MIKE CREAMER  
JEFF FEREDAY  
GIVENS PURSLEY  
PO BOX 2720  
BOISE ID 83701-2720  
(208) 388-1300  
[mcc@givenspursley.com](mailto:mcc@givenspursley.com)  
[jefffereday@givenspursley.com](mailto:jefffereday@givenspursley.com)

(x) U.S. Mail, Postage Prepaid  
( ) Facsimile  
(x) E-mail

FRANK ERWIN  
WATERMASTER  
WATER DIST 36  
2628 SOUTH 975 EAST  
HAGERMAN ID 83332

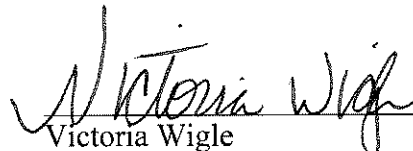
(x) U.S. Mail, Postage Prepaid  
( ) Facsimile  
( ) E-mail

BOB SHAFFER  
WATERMASTER  
WATER DIST 34  
PO BOX 53  
MACKAY ID 83251

(x) U.S. Mail, Postage Prepaid  
( ) Facsimile  
( ) E-mail

ALLEN MERRITT  
CINDY YENTER  
WATERMASTER - WD 130  
IDWR – SOUTHERN REGION  
1341 FILLMORE STREET SUITE 200  
TWIN FALLS ID 83301-3380  
(208) 736-3037  
[allen.merritt@idwr.idaho.gov](mailto:allen.merritt@idwr.idaho.gov)  
[cindy.yenter@idwr.idaho.gov](mailto:cindy.yenter@idwr.idaho.gov)

(x) U.S. Mail, Postage Prepaid  
( ) Facsimile  
(x) E-mail

  
Victoria Wigle  
Administrative Assistant to the Director  
Idaho Department of Water Resources

Attachment  
Water Rights Subject to Curtailment - Blue Lakes Trout Delivery Call

Water Right Owner	WR_NUM	Priority Date	Diversion Rate(cfs)	Acres	Purpose of Use
AARDEMA, CORNELIA; AARDEMA, FRANS; BOX CANYON DAIRY; HEIDA, MARY JANE; HEIDA, THOMAS	36-15181*	4/12/1994	0.23	54	IRRIGATION
AARDEMA, DONALD J	36-8548	5/11/1990	0.06		STOCKWATER
AARDEMA, DONALD J; AARDEMA, DONALD JOHN; AARDEMA, EVELYN L; AARDEMA, GAYLE; AARDEMA, KRISTYN; AARDEMA, MICHAEL D; AARDEMA, RONALD J; AARDEMA, SARAH J	36-16283*	4/12/1994	0.17	302.7	IRRIGATION
AARDEMA, DONALD JOHN	36-10225H*	4/12/1994	0.01		IRRIGATION
AARDEMA, DONALD JOHN	36-15256C*	4/12/1994	0.92	524.4	IRRIGATION
AARDEMA, DONALD JOHN	36-15256D*	4/12/1994	0.11		STOCKWATER, COMMERCIAL
ALBERDI, ERIC R	37-20797	6/24/2002	0.13		DOMESTIC
ANDERSON, LARRY; ANDERSON, RETHA	36-8233	12/17/1991	0.93		HEATING, RECREATION
ARKOOSH PRODUCE INC; BETTENCOURT, LUIS M	36-8739	5/10/1995	1	118	IRRIGATION
ARKOOSH PRODUCE INC; BETTENCOURT, LUIS M	36-8740	5/10/1995	0.53	127	IRRIGATION
ASTORQUIA, FRANK	37-8338	5/19/1994	0.6	72	IRRIGATION
ASTORQUIA, FRANK; ASTORQUIA, JOSEPHINE	37-7460	7/3/2002	3.06	258	IRRIGATION
B & H FARMING A PARTNERSHIP	36-4264*	4/12/1994	2	455	IRRIGATION
BARNES, T H; COLLINS, LARRY	36-8780	4/17/1998	0.04	1	IRRIGATION, DOMESTIC
BELL, WILLARD O; LYLE, DAVID; LYLE, LESLIE D	34-2486	6/7/2002	4	200	IRRIGATION
BENNETT, CAROLE R; BENNETT, JOHN D	37-20931	5/5/2003	0.12	4.3	IRRIGATION
BETTENCOURT, LUIS M	36-15161*	4/12/1994	0.14	258	IRRIGATION
BETTENCOURT, LUIS M; BETTENCOURT, SHARON L	36-14394*	4/12/1994	0.16	618	IRRIGATION
BETTENCOURT, LUIS M; BETTENCOURT, SHARON L	36-14595A*	4/12/1994	1.31	414.8	IRRIGATION
BETTENCOURT, LUIS M; BETTENCOURT, SHARON L	36-14595B*	4/12/1994	0.1		STOCKWATER, COMMERCIAL
BLACK BUTTE HILLS LLC	36-15233*	4/12/1994	0.73	180	IRRIGATION
BLAINE COUNTY SCHOOL DISTRICT #61	37-21742	4/17/2006	0.8	20	IRRIGATION
BLINCOE FARMS INC	36-15362*	4/12/1994	2.8	960	IRRIGATION
SERVICES FLCA	36-8662	5/26/1992	0.24		STOCKWATER, COMMERCIAL
BOLINGBROKE, EDNA	36-15177*	4/12/1994	0.55	372	IRRIGATION
BOTHOF, GERALD A; BOTHOF, ROGER W	36-8805	10/31/2000	0.03	0.8	IRRIGATION
BOX CANYON DAIRY	36-10044*	4/12/1994	0.55	124	IRRIGATION
BOX CANYON DAIRY	36-16282*	4/12/1994	0.26	444	IRRIGATION
BRANCHFLOWER, KATHERINE L; BRANCHFLOWER, MICHAEL G	36-8581	3/13/1991	0.74	39	IRRIGATION
BRANCHFLOWER, KATHERINE L; BRANCHFLOWER, MICHAEL G	36-8582	2/20/1991	0.46	23	IRRIGATION
BRANCHFLOWER, MICHAEL G	36-8560A	9/7/1990	1.03	135	IRRIGATION
BRANCHFLOWER, MICHAEL G	36-8560B	9/7/1990	0.12	6	IRRIGATION
BRANDSMA, ANN; BRANDSMA, HILL A	36-16036*	4/12/1994	0.18	318	IRRIGATION
BRANDSMA, DEBRA K; BRANDSMA, KENNETH A	36-8787	1/22/1999	1.05	152	IRRIGATION
BROWN, ANITA; BROWN, REX	36-8634	11/13/1991	0.04	1	IRRIGATION, DOMESTIC
BROWNING, ZOLA M	36-10123*	4/12/1994	1.78	429	IRRIGATION
CALKINS, LAWRENCE L	37-20382	3/1/2001	0.16		DOMESTIC
CALKINS, LAWRENCE L	37-20383	3/12/2001	0.28		DOMESTIC
CALKINS, LAWRENCE L; CALKINS, SANDRA L	37-21384	11/19/2004	0.12		DOMESTIC
CHURCH OF JESUS CHRIST OF THE LATTER DAY SAINTS	36-11278*	4/12/1994	2.55	1610	IRRIGATION

Attachment  
Water Rights Subject to Curtailment - Blue Lakes Trout Delivery Call

Water Right Owner	WR_NUM	Priority Date	Diversion Rate(cfs)	Acres	Purpose of Use
CREDIT SERVICES FLCA	36-8672	9/23/1992	0.06		STOCKWATER
CITY OF CAREY	37-20384	3/20/2001	0.7		MUNICIPAL
CITY OF CAREY	37-21355	9/23/2004	1.37		MUNICIPAL
CITY OF DIETRICH	37-8783	2/21/1992	0.45		MUNICIPAL
CITY OF HEYBURN	36-8550	5/29/1990	6.67		MUNICIPAL
CITY OF HEYBURN	36-8738	5/22/1995	3.3		MUNICIPAL
CITY OF PAUL	36-8763	10/18/1999	2.75		MUNICIPAL
CITY OF WENDELL	36-8421	9/14/1998	2.76		MUNICIPAL
CITY OF WENDELL	36-8764	3/28/1997	1.27		MUNICIPAL
CLARK, BETTE L; CLARK, RAYMOND G	36-15253*	4/12/1994	0.34	211	IRRIGATION
COMMONS, RAY L	36-15617*	4/12/1994	0.03	445	IRRIGATION
COMMONS, RAY L; MOUNTAIN VIEW LAND LP; WLR LC; YOUNG, MARIA; YOUNG, ROY M; YOUNG, STEVEN D	36-15531*	4/12/1994	1.22	2229	IRRIGATION
COOMBS, MICHAEL R	36-15565	2/5/2001	0.08		DOMESTIC
COUNTRY CLUB ESTATES WATER ASSN INC	36-8607	11/18/1991	0.5		STOCKWATER, DOMESTIC, FIRE PROTECTION
CULLEY, JUDITH; CULLEY, RYAN D	36-8563	10/18/1990	0.07	1	IRRIGATION, DOMESTIC
DALLEY, RICHARD B; DALLEY, SHAUNA H	36-4263*	4/12/1994	0.74	352	IRRIGATION
DARWIN NEIBAUR FARMS PARTNERSHIP	36-15375*	4/12/1994	1.25	427	IRRIGATION
DE KRUYF, ALICE RUTH; DE KRUYF, CALVIN	36-10082A*	4/12/1994	0.21	162.7	IRRIGATION
DE WIT DAIRY	36-8661	5/21/1992	0.26		STOCKWATER, COMMERCIAL
DE WIT, NEIL	36-8388	5/8/2003	0.3		STOCKWATER, COMMERCIAL
DEAN, WENDEL C	36-12953*	4/12/1994	1.25	320	IRRIGATION
DEER CREEK PARTNERS LLC	37-21413	1/7/2005	0.67		MUNICIPAL
DICKINSON, DALE; DICKINSON, MARSHA	36-8681	10/16/1992	0.03	1	IRRIGATION, DOMESTIC
DINOS LLC	36-8680	10/21/1992	0.1		DOMESTIC
DOTSON, MARK; HOLLANDER, LEWIS	37-8944	11/30/2000	0.2		DOMESTIC
DUNCAN LIMITED PARTNERSHIP; PKD PROPERTIES LC	36-15200*	4/12/1994	1.01	296	IRRIGATION
PARTNERSHIP	36-13531*	4/12/1994	0.42	341	IRRIGATION
PARTNERSHIP	36-15458*	4/12/1994	0.05	158	IRRIGATION
EDWARDS, KENT F	36-8628	11/26/1991	0.18	8	IRRIGATION, STOCKWATER, DOMESTIC
SERVICES FLCA	36-8584	2/26/1991	2.08	144	IRRIGATION
FATTIG, PATSY; FATTIG, WAYNE	36-8637	12/6/1991	0.23	245	IRRIGATION
FAULKNER LAND & LIVESTOCK CO INC	37-8720	4/23/1991	3.2	324	IRRIGATION
FORD, JOYCE A; FORD, THOMAS RAY	36-14617*	4/12/1994	0.9	378	IRRIGATION
FORD, JOYCE A; FORD, THOMAS RAY	36-14619*	4/12/1994	1.32	311	IRRIGATION
FOUR + RANCH INC	37-8729	6/11/1991	2	120	IRRIGATION
FRENCH JR, JAMES A; FRENCH, KARI D	36-16405	11/14/1991	0.03	1.5	IRRIGATION, STOCKWATER
G & G DAIRY	36-8735	1/10/1992	0.13		STOCKWATER, COMMERCIAL
GARNER, BEVERLY; GARNER, GARY B	36-12043*	4/12/1994	0.25	308	IRRIGATION
GILLETTE, CINDY L; GILLETTE, LARRY R	36-11155*	4/12/1994	1.32	2081	IRRIGATION
GILLETTE, CINDY L; GILLETTE, LARRY R	37-8742	3/28/1991	4.21	995.5	IRRIGATION
GILLETTE, CINDY; GILLETTE, RANDY	36-11412*	4/12/1994	0.84	1108	IRRIGATION
GILLETTE, JERRY; GILLETTE, ROANNE	36-11413*	4/12/1994	0.13	274	IRRIGATION

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GLANBIA FOODS	36-16219*	4/12/1994	0.33	400	IRRIGATION
GLANBIA FOODS INC	37-21136	7/24/2003	8	1422.7	IRRIGATION
GLANBIA FOODS INC	37-8903	9/17/1999	1.67		COMMERCIAL
GOEDHART, HUGO; GOEDHART, MARY	36-8774	3/10/1998	0.13		STOCKWATER, DOMESTIC
GOMEZ, JOHN	36-8396	10/20/1992	0.2		STOCKWATER, COMMERCIAL
GOOCH, BEATRICE; GOOCH, ELLIS	37-8839	11/22/1994	0.1		STOCKWATER
GRANT, ANGELA; GRANT, RANDY; HAGAN, ROCKY	36-14202*	4/12/1994	0.2	130	IRRIGATION
GULLEY, JUDY L; GULLEY, WILLIAM F	36-8789	3/23/1999	0.44	22.2	IRRIGATION
HANCHETT, AUREL K; HANCHETT, PHYLLIS	36-15355*	4/12/1994	0.4	139	IRRIGATION
HANSEN, GARY L	36-11508*	4/12/1994	0.31	110	IRRIGATION
HARMAN, BOB	36-15380*	4/12/1994	0.26	158	IRRIGATION
HARMAN, JACK M; HARMAN, KENT M	36-15356A*	4/12/1994	0.22	285	IRRIGATION
HARRIS, SAMUEL R	37-20741	7/11/2002	0.2		DOMESTIC
HENRY FARMS	36-15163*	4/12/1994	0.66	286	IRRIGATION
HENRY, AUDREY; HENRY, ROBERT P	36-14844*	4/12/1994	0.25	94	IRRIGATION
HOLTON, RONALD	36-12588*	4/12/1994	0.44	147	IRRIGATION
HOLTZEN FARMS INC	36-8603	6/14/1991	0.14		STOCKWATER
HUMAN, KELLY C	37-8707	3/26/1991	2	100	IRRIGATION
HUNT, DUANE W; HUNT, MARGARET	36-11079*	4/12/1994	0.05	163	IRRIGATION
IDAHO ACRES DAIRY	36-11110*	4/12/1994	1	408	IRRIGATION
IDAHO FRESH PAK INC	36-15553*	4/12/1994	0.06		COMMERCIAL
INFANGER, DEBRA A; INFANGER, JOHN N	37-20800	9/10/2002	0.14		DOMESTIC
IRWIN, GEROLD F; IRWIN, JEAN	36-15217*	4/12/1994	0.76	176	IRRIGATION
JENTZSCH, RODNEY A; JENTZSCH, SHIRLEY S	36-15536*	4/12/1994	3.44	1201	IRRIGATION
JENTZSCH, RODNEY A; JENTZSCH, SHIRLEY S	36-8624	12/10/1991	0.21	10.6	IRRIGATION
JEROME COUNTY ROD & GUN CLUB	36-8620	11/14/1991	0.02	0.5	IRRIGATION, COMMERCIAL
JEROME JOINT SCHOOL DISTRICT NO 261	36-16440	7/10/2006	1.07		HEATING
JEROME JOINT SCHOOL DISTRICT NO 261	36-16441	7/10/2006	0.45		HEATING
JOHN A SANDERS FAMILY LTD PARTNERSHIP	36-10174*	4/12/1994	0.74	377	IRRIGATION
NELSON, KATHY	37-21644	2/2/2006	0.12		DOMESTIC
K & W DAIRY	36-10225K*	4/12/1994	0.58	1064.7	IRRIGATION
KEARLEY, SUSAN L; KEARLEY, WILLIAM P	36-10547*	4/12/1994	0.25	154	IRRIGATION
KECHTER, RICHARD L	36-15165*	4/12/1994	2.2	2785	IRRIGATION
KECHTER, RICHARD L	36-16424*	4/12/1994	0.85	995	IRRIGATION
KECHTER, RICHARD L	36-16425*	4/12/1994	0.15	2785	IRRIGATION
KECHTER, RICHARD L	36-4200*	4/12/1994	0.84	2785	IRRIGATION
LAST RANCH LLC	36-16140*	4/12/1994	0.03	32	IRRIGATION
LEED CORP	37-21952	9/26/2006	0.44		DOMESTIC
LIND, ELDEN; LIND, MELBA JEAN	36-8583	2/22/1991	3.99	238.9	IRRIGATION
LLOYD, CARL; LLOYD, JANICE	36-8580	2/19/1991	0.7	35	IRRIGATION
MAGIC VALLEY DAIRY SUPPLY INC	36-8538	6/1/1990	0.4		STOCKWATER, COMMERCIAL
MAY, DAVID C; MAY, DEBRA J	36-15226*	4/12/1994	0.36	658	IRRIGATION
MC CABE, LINDA JOY; MC CABE, ROBERT	37-20747*	4/12/1994	0.56	300	IRRIGATION

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MC CAUGHEY, MARGARET; MC CAUGHEY, WALTER L	36-8579	2/8/1991	0.68	52	IRRIGATION
MC CLURE, JACQUELINE; MC CLURE, RICHARD	36-8615	10/30/1991	0.05	1.5	IRRIGATION
MINIDOKA LUMBER CO	36-12643*	4/12/1994	1.7	793	IRRIGATION
MOLLER, VELVA; MOLLER, W H	36-11643*	4/12/1994	1	448	IRRIGATION
MONTGOMERY, DARLENE M; MONTGOMERY, LLOYD J	36-12464*	4/12/1994	0.11	76.2	IRRIGATION
MORGAN, CODY G; MORGAN, KATHY J	36-16094	3/10/1992	0.03		STOCKWATER
MORGAN, CODY G; MORGAN, KATHY J	36-16407	3/10/1992	1.53	390.5	IRRIGATION
MORGAN, CODY G; MORGAN, KATHY J	36-16408	3/10/1992	0.08		STOCKWATER, COMMERCIAL
MORTENSEN, JON; MORTENSEN, STANLEY	36-15216*	4/12/1994	0.4	291	IRRIGATION
MOYLE, ALLEN; MOYLE, KARLA	36-8768	6/16/1997	0.17		STOCKWATER, COMMERCIAL
MUNSEE, G K; MUNSEE, LAREE; MUNSEE, MARK	36-8559	9/4/1990	1.86	93	IRRIGATION
NALLEY, TINA L	37-8750	7/12/1991	0.13	6	IRRIGATION, STOCKWATER, DOMESTIC
NAPIER, DIANNA K	36-8521	12/19/1991	0.03	1	IRRIGATION, DOMESTIC
NEIBAUR, DARYL M; NEIBAUR, SUSAN A	36-15212*	4/12/1994	0.33	310	IRRIGATION
NEIBAUR, MITCHELL D; NEIBAUR, RACHEL H	36-11893*	4/12/1994	0.15	158	IRRIGATION
NEIBAUR, SUSAN A	36-15213*	4/12/1994	0.13	310	IRRIGATION
NELSEN DAIRY	36-8745	11/7/1995	0.14		STOCKWATER, COMMERCIAL
NELSON, JACK; NELSON, KATHY	37-8717	3/1/1991	0.08	2.6	IRRIGATION
NELSON, JACK; NELSON, KATHY	37-8740	3/14/1991	0.09	3	IRRIGATION
NORTH RIDGE LLC	36-16456*	4/12/1994	0.1	45	IRRIGATION
NORTH RIM FAIRWAYS OWNERS ASSN INC	36-8399	1/5/1995	0.41		DOMESTIC
FARMS INC	36-8673	9/8/1992	0.26	315	IRRIGATION
REITSMA LIVING TRUST	36-8378	7/23/1997	0.23		STOCKWATER, COMMERCIAL
LIMITED PARTNERSHIP	37-8685	9/20/1990	0.84		STOCKWATER, INDUSTRIAL
NORTHWEST FARM CREDIT SERVICES FLCA; VERBREE JR, JACK; VERBREE, MARGARET	36-8666	7/10/1992	0.27		STOCKWATER, COMMERCIAL, DOMESTIC
NORTHWEST FARM CREDIT SERVICES FLCA; VERBREE JR, JACK; VERBREE, MARGARET	36-8667	7/10/1992	0.27		STOCKWATER, COMMERCIAL, DOMESTIC
NOTCH BUTTE FARMS LLC	36-16139*	4/12/1994	0.18	188	IRRIGATION
NOTCH BUTTE FARMS LLC	37-8909*	4/12/1994	0.02		STOCKWATER
NUNES BROTHERS DAIRY	36-8552	6/28/1990	0.12		STOCKWATER, COMMERCIAL, DOMESTIC
OLSEN, BETTY M; OLSEN, GEORGE L	36-8605	5/23/1991	0.04	1.4	IRRIGATION
OPPIO FAMILY LIMITED PARTNERSHIP	37-19848*	4/12/1994	0.29	142.4	IRRIGATION
PARKINSON FARMS	34-10393*	4/12/1994	0.26	306	IRRIGATION
PARKINSON, ROBERT J	36-8591	3/6/1991	1	66	IRRIGATION
PAUL CEMETERY MAINTENANCE DIST	36-8586	4/24/1991	0.2	10	IRRIGATION
PETERS, THOMAS R	36-8577	2/28/1991	1.68	94	IRRIGATION
PHILLIPS, MARILYN L; PHILLIPS, VERNON C	36-16298*	4/12/1994	0.01	8.1	IRRIGATION
PHILLIPS, MARILYN L; PHILLIPS, VERNON C	36-16348*	4/12/1994	0.05	48.4	IRRIGATION, MITIGATION
POPE, BLAINE K; POPE, CAROL C	34-12436*	4/12/1994	0.023	6	IRRIGATION
REED, CAROL A; REED, ROBERT W	36-15227*	4/12/1994	0.7	163	IRRIGATION
REITSMA, JOHN	36-8736	5/19/1992	0.52		STOCKWATER, COMMERCIAL
RISH, RONALD C	34-7204	7/8/1992	0.23	37	IRRIGATION

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RIVERSIDE CEMETERY DIST	36-15341*	4/12/1994	0.12	9	IRRIGATION
RODNEY HANSEN FARMS INC	36-11147*	4/12/1994	0.27	500	IRRIGATION
ROLLING ROCK DAIRY FARM LLC	36-8546	5/15/1990	0.08		STOCKWATER, COMMERCIAL
ROOST POTATO CO INC	36-15152*	4/12/1994	0.08	633	IRRIGATION
ROTH, JAMES	36-15222*	4/12/1994	0.52	235	IRRIGATION
ROYCE, DAN; ROYCE, JO ANNE	36-8609	10/21/1991	0.02	2.5	IRRIGATION, STOCKWATER, DOMESTIC
SALMON FALLS LAND & LIVESTOCK CO INC	36-10033*	4/12/1994	1.07	370	IRRIGATION
SALMON FALLS LAND & LIVESTOCK CO INC	36-10035*	4/12/1994	0.47	370	IRRIGATION
SALMON FALLS LAND & LIVESTOCK CO INC	36-10037*	4/12/1994	1.65	404	IRRIGATION
SAWTOOTH SHEEP CO INC	37-8702	1/31/1991	2.5	260	IRRIGATION
SCHENK, ROBERT W; STEWART, REID S; ZOLLINGER, C S	36-10030*	4/12/1994	1.3	462	IRRIGATION
SCHOTH, WARREN E	36-8589	5/9/1991	0.13	3	IRRIGATION, DOMESTIC
SERR, KAREN B; SERR, MAX A	36-15364*	4/12/1994	0.06	214	IRRIGATION
SHADY GROVE DAIRY FARM	37-8751	6/11/1991	0.11		STOCKWATER, COMMERCIAL, DOMESTIC
SHAW, WILLIAM HUBERT	37-8705	2/21/1991	7	420	IRRIGATION
SIRUCEK, BECKY; SIRUCEK, MIKE	36-8569	12/10/1990	0.46	67	IRRIGATION
SLADE, DELILAH; SLADE, KEVIN L	36-15229*	4/12/1994	0.3	153	IRRIGATION
SLADE, WILLIAM J; SLADE, WYLENE	36-15228*	4/12/1994	0.1	459	IRRIGATION
SMITH, RANAE GRIFFIN	36-10848*	4/12/1994	1.26	980	IRRIGATION
SOELBERG FARMS	34-7588	6/19/1998	0.11		STOCKWATER
SORENSEN, ESMERALDA J; SORENSON, GREGORY J	37-20361	1/9/2001	0.06		STOCKWATER
SOUTH VIEW DAIRY	36-10225B*	4/12/1994	0.17	273	IRRIGATION
SOUTH VIEW DAIRY	36-8578	2/8/1993	0.25		STOCKWATER, COMMERCIAL
SOUTHFIELD DAIRY	36-10666*	4/12/1994	0.19	142	IRRIGATION
SOUTHFIELD DAIRY	36-8608	9/3/1991	0.86	2	IRRIGATION, STOCKWATER, COMMERCIAL, DOMESTIC
SOUTHFIELD DAIRY	37-8732	4/13/1991	3	587	IRRIGATION
STANDLEE, MIKE; STANDLEE, WHENDY	36-15119*	4/12/1994	1.31	417	IRRIGATION
STANDLEE, MIKE; STANDLEE, WHENDY	36-15178*	4/12/1994	0.04	456	IRRIGATION
STATE OF IDAHO	37-7372	6/30/1999	6.54	320	IRRIGATION, STOCKWATER
STEVE NEIBAUR FARMS INC	36-15209*	4/12/1994	0.71	335	IRRIGATION
STEVENSON, DEAN F; STEVENSON, ELLEN W	36-8619A	11/13/1991	1.13	884	IRRIGATION
STEVENSON, DEAN F; STEVENSON, ELLEN W	36-8619B	11/13/1991	0.2	884	IRRIGATION
STEWART, FRED R; STEWART, PHYLLIS L	36-8568	11/7/1990	0.79	240	IRRIGATION
STODDARD, NEIL	36-8744	12/22/1995	0.12	0.3	IRRIGATION, DOMESTIC
SUCHAN, FRANK J	36-12454*	4/12/1994	0.51	520	IRRIGATION
SUHR, DANIEL A; SUHR, DONNA DEE	36-14317*	4/12/1994	0.67	153	IRRIGATION
TABER, DONALD	37-10158*	4/12/1994	1.78	466	IRRIGATION
TELFORD, MICHAEL S	36-10024*	4/12/1994	1.15	298.8	IRRIGATION
TELFORD, MICHAEL S	36-10025*	4/12/1994	0.77	238	IRRIGATION
AGREEMENT DTD 4-1-2001	37-8679	8/23/1990	0.16	8	IRRIGATION
THOMPSON, DEBORAH M; THOMPSON, GARY C	36-11839*	4/12/1994	0.25	317	IRRIGATION
TRAVELERS OASIS TRUCK PLAZA; WILLIE, DANIEL L	36-8766	6/8/1997	0.11		COMMERCIAL
TRAVELERS OASIS TRUCK PLAZA; WILLIE, DANIEL L	36-8767	6/19/1997	0.11		COMMERCIAL

\* ENLARGEMENT RIGHT SUBORDINATED TO RIGHTS EARLIER THAN APRIL 12, 1994



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TRIPLE C CONCRETE INC	36-8791	6/17/1999	2.5		INDUSTRIAL
TRIPLE C CONCRETE INC	36-8792	6/17/1999	2.5		INDUSTRIAL
UNIT 3 WATER ASSN INC	36-8727	5/5/1994	0.45		DOMESTIC
UNITED ELECTRIC CO-OP INC	36-8797	11/5/1999	0.27		HEATING, COOLING
UNITED STATES OF AMERICA ACTING THROUGH	36-15356B*	4/12/1994	0.02	26	IRRIGATION
UNITED STATES OF AMERICA ACTING THROUGH	37-20851*	4/12/1994	0.02	30	IRRIGATION
UR FARMS LIMITED PARTNERSHIP	36-8549	6/28/1990	0.09		STOCKWATER, COMMERCIAL
V & L DAIRY	36-15211*	4/12/1994	0.33	75	IRRIGATION
VALLEY SCHOOL DISTRICT #262	36-16299	9/22/2004	2		DOMESTIC, FIRE PROTECTION
VAN BEEK, DIANNE; VAN BEEK, JOHN W	36-8398	2/14/1995	0.51		STOCKWATER, COMMERCIAL
VAN BEEK, JOHN W	36-15256B*	4/12/1994	0.13		STOCKWATER, COMMERCIAL
VANDER VEGT, IRENE	36-8543	6/15/1990	0.08		STOCKWATER, COMMERCIAL
VANDERHAM BROTHERS DAIRY	36-8554	5/13/1990	0.23		STOCKWATER, COMMERCIAL, DOMESTIC
VANDERHAM, DANNY C	36-8636	9/23/1997	1		STOCKWATER, COMMERCIAL, DOMESTIC
VASQUAZ, DUFIA; VASQUAZ, J REUBEN	36-10243*	4/12/1994	0.4	205	IRRIGATION
VEENSTRA, CHERYL; VEENSTRA, PETE	36-8803	7/13/2000	0.13		STOCKWATER, COMMERCIAL
VEENSTRA, FRANK W	36-15077*	4/12/1994	0.91	198.5	IRRIGATION
WAHLSTROM, LESLIE; WAHLSTROM, RON	36-8612	10/24/1991	0.03	1	IRRIGATION
WALKER, YOUNG HARVEY	34-10473*	4/12/1994	0.36	190	IRRIGATION
WALTERS DAIRY PARTNERSHIP	36-14285*	4/12/1994	0.32	274	IRRIGATION
WARD, DAN; WARD, KARLA	36-16335*	4/12/1994	0.02		STOCKWATER, COMMERCIAL
WATERFORD PARTNERS III LLC	37-21243	12/8/2003	0.6		MUNICIPAL
WAUNA VISTA PARK HOMEOWNERS ASSN	36-8720	2/4/1994	0.03	0.7	IRRIGATION
WEBER, JEFF L; WEBER, KERI JO	37-20850*	4/12/1994	0.4	634	IRRIGATION
WEST ONE BANK IDAHO	36-15215*	4/12/1994	1.1	609	IRRIGATION
WHEELER, DEE RAY	36-8601	9/5/1991	0.06	2	IRRIGATION
WHITTAKER, EVERETT L	36-8553	7/9/1990	0.13	4.3	IRRIGATION
WILD WEST INC	37-21719	3/22/2006	0.11		DOMESTIC
WILLIAMS, LAVERNE R	36-8595	7/10/1991	0.16	8	IRRIGATION
WILLIE, DANIEL L	36-16124*	4/12/1994	0.03	30.2	IRRIGATION
WISE, EARL; WISE, INEZ	36-8638	1/7/1992	0.04	1	IRRIGATION, DOMESTIC
WOODLAND, ALAN; WOODLAND, DEBRA	36-16457*	4/12/1994	1.04	269	IRRIGATION
WOODLAND, MICHAEL D; WOODLAND, PATRICIA	36-15179*	4/12/1994	0.94	491	IRRIGATION
YERION, GEORGE A; YERION, SUSAN F	37-20717	4/29/2002	0.1	4	IRRIGATION
YOUNG, MARIA; YOUNG, ROY M; YOUNG, STEVEN D	36-10863A*	4/12/1994	2.57	5183	IRRIGATION
YOUNG, MARIA; YOUNG, ROY M; YOUNG, STEVEN D	36-10863B*	4/12/1994	0.03	5183	IRRIGATION
YOUNG, MARIA; YOUNG, ROY M; YOUNG, STEVEN D	36-15234*	4/12/1994	1.14	1096	IRRIGATION
YOUNG, MARIA; YOUNG, ROY M; YOUNG, STEVEN D	36-15264A*	4/12/1994	0.68	5183	IRRIGATION
YOUNG, MARIA; YOUNG, ROY M; YOUNG, STEVEN D	36-15264B*	4/12/1994	0.71	5183	IRRIGATION
YOUNG, MARIA; YOUNG, ROY M; YOUNG, STEVEN D	36-15616*	4/12/1994	0.17	298	IRRIGATION

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