

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF DISTRIBUTION OF)	
WATER TO WATER RIGHTS NOS. 36-04013A,)	ORDER CURTAILING
36-04013B, AND 36-07148 (SNAKE RIVER)	JUNIOR PRIORITY
FARM))	GROUND WATER RIGHTS
)	
)	(Clear Springs, Snake River
)	Farm Delivery Call)
)	

Background

This matter was initiated by a letter dated May 2, 2005 ("Letter"), from Larry Cope, President and CEO of Clear Springs Foods, Inc. ("Clear Springs"). The Letter requested "water rights administration in Water District 130 . . . in order to effectuate the delivery of Clear Springs Foods, Inc., a/k/a Clear Springs, water rights number 36-04013A, 36-04[0]13B, and 36-07148" to its Snake River Farm. "As supported by the enclosed graphs and tables, these water rights have not and are presently not being delivered to the partial decree elements provided in the Snake River Basin Adjudication."

On July 8, 2005, the Director issued an order ("July 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 Clear Springs for its Snake River Farm.¹ According to the July 2005 Order, the three Snake River Farm rights were partially decreed in the Snake River Basin Adjudication for a combined, maximum diversion rate of 43.67 cfs.² Applying the Department's Rules for Conjunctive Management of Surface and Ground Water Resources, IDAPA 37.03.11.000-.999 ("Conjunctive Management Rules"), the July 2005 Order found that:

The rates of diversion authorized pursuant to water right nos. 36-04013A, 36-04013B, and 36-07148 (15.00 cfs, 27.00 cfs, [and] 1.67 cfs, . . . respectively) are not quantity entitlements that are guaranteed to be available to Clear Springs at all times. 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. Clear Springs cannot call for the curtailment of junior priority water rights at all times that insufficient water is physically available to fill water right nos. 36-

¹ As discussed in the July 2005 Order, Clear Springs originally filed calls for delivery of senior surface water rights at its Snake River Farm and Crystal Springs Farm. Because Clear Springs has yet to extend and improve the collection canal at its Crystal Springs Farm to capture and convey the additional seasonally-dependent spring discharge to the satisfaction of the Director, *July 2005 Order* at p. 38-39, the call for delivery for senior surface water rights at Clear Springs' Crystal Springs Farm is not recognized.

² Water right nos: 36-04013A (09/15/1955, 15.00 cfs), 36-04013B (02/04/1964, 27.00 cfs), and 36-07148 (01/31/1971, 1.67 cfs).

04013A, 36-04013B, [and] 36-07148 . . . at the authorized rates of diversion. Clear Springs is not entitled to water supplies at its Snake River Farm . . . that are enhanced beyond the conditions that existed at the time such rights were established; i.e., Clear Springs cannot call for the curtailment of junior priority ground water rights simply because seasonally the discharge from springs is less than the authorized rates of diversion for Clear Springs' rights unless such seasonal variations are caused by depletions resulting from diversions and use of water under such junior priority rights."

July 2005 Order at p. 13, ¶ 55.

According to the July 2005 Order, sufficient water exists at seasonal highs to fully supply 15.00 cfs to water right no. 36-04013A; therefore, water right no. 36-04013A was not found to have been injured. The July 2005 Order did find, however, that there was insufficient water available at the sources for water right nos. 36-04013B and 36-07148 to fill those rights when the spring discharge providing the source for the rights was at its seasonal high. "The quantity of water available at the source for water right nos. 36-04013B and 36-07148 is expected to continue to be insufficient during 2005. *See* IDAPA 37.03.11.042.01.a." *Id.* at p. 15, ¶ 62.

Despite the finding of material injury to water right nos. 36-04013B and 36-07148, the July 2005 Order also found that "The western-most spring collection box that diverts spring discharge into the 54-inch diameter pipeline to the Snake River Farm was found to be in disrepair, and an estimated 2 cfs of collected spring discharge was escaping the box. *See* IDAPA 37.03.11.042.01.b." *Id.* at p. 15, ¶ 64. Furthermore, "During the field inspection of May 5, 2005, the watermaster for Water District No. 130 identified approximately 7 or 8 acres of irrigated grass and landscaping around the facilities at the Snake River Farm. The maximum amount of irrigation authorized under water rights held by Clear Springs for the Snake River Farm is one acre, one-half acre under the domestic portion of water right no. 36-04013C and one-half acre under the domestic portion of water right no. 36-07148. Therefore, there is no water right authorizing the irrigation of approximately 6 or 7 acres of grass and landscaping around the facilities at the Snake River Farm." *Id.* at p. 15, ¶ 65. The Order also determined that the Clear Lake Ranch P.U.D. Master Association, Inc. ("Clear Lake Ranch") was diverting water out of priority under water right no. 36-8329 from a spring supply water to the Snake River Farm.

After identifying the three problems with diversion and use of water under water rights held by Clear Springs for use at its Snake River Farm, the July 2005 Order required that Clear Springs repair the leak at its western-most spring collection box as a conditional precedent to any curtailment of ground water diversions. The July 2005 Order also required that Clear Springs present evidence acceptable to the Director of a legal basis to continue irrigation in excess of one acre of landscaping at its Snake River Farm facilities. Moreover, the July 2005 Order instructed Clear Lake Ranch to acquire a water right by June 1, 2006, bearing a priority date earlier than Clear Springs' water right no. 36-4013C (priority date of 02/04/1964). If Clear Lake Ranch did not acquire a water right, and if the water supply available at the source for water rights held by Clear Springs for diversion and use at its Snake River Farm is less than the total amount of the 117.67 cfs, the watermaster for Water District No. 130 would curtail the diversion of water by Clear Lake Ranch.

In light of the above, and taking into consideration the order issued by the Director on May 5, 2005, in response to the delivery call by the Blue Lakes Trout Farm, Inc., as well as the Director's July 6, 2005, order in response to the May 2005 and June 2005 proposals for substitute curtailment submitted by the Idaho Ground Water Appropriators, Inc., on behalf of the Magic Valley and North Snake ground water districts (hereinafter referred to as "IGWA"), the July 2005 Order stated:

Involuntary curtailment will be phased-in over a five-year period, offset by substitute curtailment (conversions and voluntary curtailment) provided through the ground water district(s) or irrigation district through which mitigation can be provided and verified by the Department. Involuntary curtailment and substitute curtailment together must be implemented in 2005, 2006, 2007, 2008, and 2009, such that based on simulations using the Department's ground water model for the ESPA, phased curtailment will result in simulated cumulative increases to the average discharge of springs in the Buhl Gage to Thousand Springs spring reach, which includes the springs that provide the source of water for the water rights held by Clear Springs for its Snake River Farm, at steady state conditions of at least 8 cfs, 16 cfs, 23 cfs, 31 cfs, and 38 cfs, for each year respectively.

The actions taken by the Idaho Ground Water Appropriators in 2005 on behalf of its members, consisting of acquisition and use of surface water for irrigation of certain lands in lieu of irrigation using ground water ("conversions") in the North Snake Ground Water District and voluntary curtailment of ground water irrigation of certain lands in the Magic Valley Ground Water District, and thus far approved by Director as ongoing, are recognized as increasing spring discharge in the . . . Buhl Gage [to Thousand Springs] spring reach by an average of 7.8 cfs at steady state conditions based on simulations using the Department's ground water model for the ESPA. Once Clear Springs has completed repair of the western-most spring collection box for the 54-inch diameter pipeline to the Snake River Farm, additional ongoing voluntary curtailment within the North Snake and Magic Valley ground water districts must be identified to increase the simulated spring discharge in the . . . Buhl Gage [to Thousand Springs] spring reach to at least 8 cfs, or a corresponding amount of involuntary curtailment in 2005 by priority date will be ordered by the Director.

July 2005 Order at p. 37, ¶ (2), (3).

Because the Director issued the July 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. 39.

On July 19, 2005, IGWA³ filed a *Petition for Reconsideration of July 8, 2005 Order and Request for Stay (Clear Springs)*. Additionally, IGWA requested a hearing and sought a stay of the implementation of the July 2005 Order pending the hearing.

On July 25, 2005, Clear Springs filed a *Petition for Rehearing on the July 8, 2005 Order and Request for an Independent Hearing Officer*. Clear Springs based its request for the

³ On May 25, 2005, IGWA petitioned the Director to intervene in this matter. Because IGWA was an affected party to the July 2005 Order and requested a hearing pursuant to the Idaho Code, IGWA was entitled to party status, and its petition for intervention was deemed moot.

appointment of an independent hearing officer on four grounds: (1) the Director cannot be unbiased in a proceeding where his own findings of fact, conclusions of law, and actions are contested; (2) the Director should not review his own decision in a contested case; (3) the Director's participation in settlement discussions prior to the filing of Clear Springs' delivery call; and (4) the Director's involvement in the reformulation and recalibration of the ESPA ground water model.

On July 29, 2005, the Director issued his *Order on Requests for Hearing and Appointment of Independent Hearing Officer; Request for Stay; and Request for Intervention (Clear Springs Delivery Call)*. In that order, the Director granted the requests for hearing filed by IGWA and Clear Springs, denied Clear Springs' request for the appointment of an independent hearing officer, granted a petition for intervention that was filed by the Idaho Dairymen's Association ("IDA") before the issuance of the July 2005 Order, and stated that "the request for reconsideration and stay . . . are subsumed by and will be addressed through the process of providing a hearing on the objections to the Order." *Order on Requests for Hearing and Appointment of Independent Hearing Officer; Request for Stay; and Request for Intervention (Clear Springs Delivery Call)* at p. 3.

On August 12, 2005, Clear Springs requested, as a matter of right, the disqualification of the Director, as well as the disqualification of all other Department employees, without cause, who might serve as the presiding hearing officer. *Clear Springs Foods, Inc. Disqualification of the Director as the Hearing Officer as a Matter of Right; Request for Discovery*. In addition, Clear Springs requested that the Director authorize discovery. The request for disqualification of the Director and all Department employees was denied on October 14, 2005. *Order Denying Request for Disqualification of the Director as a Matter of Right (Clear Springs Delivery Call)*. Clear Springs' request to authorize discovery was granted; subject, however, to the terms of a forthcoming scheduling order.

On April 29, 2006, the Director issued his *Order Approving IGWA's 2005 Substitute Curtailments (Clear Springs Delivery Call, Snake River Farm)* ("April 2006 Order"). The April 2006 Order found that IGWA, through its actions in the Blue Lakes delivery call matter, *see Final Order Approving IGWA's 2005 Substitute Curtailments (Blue Lakes Delivery Call)* (April 29, 2006), had provided "8.2 cfs steady state gain to the Buhl Gage to Thousand Springs spring reach for conversions from ground water irrigation to surface water irrigation and voluntary curtailments in irrigation ground water diversions." *April 2006 Order* at p. 11. In keeping with the requirement that replacement water be provided over a phased-in, five-year period, the Director ordered 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 16 cfs of steady state gain to the Buhl Gage to Thousand Springs spring reach of the Snake River, or otherwise provide substitute curtailment as provided in the Director's Order dated July 8, 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 July 8, 2005." *Id.*

On May 12, 2006, IGWA filed *IGWA's Petition for Reconsideration of Order Approving IGWA's 2005 Substitute Curtailments (Clear Springs Delivery Call, Snake River Farm)* ("Petition for Reconsideration"). In its Petition for Reconsideration, IGWA asserted that the April 2006 Order improperly estimated the credits Magic Valley and North Snake ground water

districts should receive for their 2005 substitute curtailments. Additionally, IGWA requested a stay of the April 2006 Order until such time as a hearing could be convened.

On May 19, 2006, Clear Springs filed its *Response to IGWA's Petition for Reconsideration (Clear Springs Delivery Call, Snake River Farm)*, arguing that the facts in the case did not justify entry of a stay “while junior ground water pumping continues to deplete Clear Springs’ water rights.” *Response to IGWA's Petition for Reconsideration (Clear Springs Delivery Call, Snake River Farm)* 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 (Clear Springs Delivery Call, Snake River Farm)*.

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 Clear Springs 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 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.⁴ *Order Requesting Briefing on Nature of Further Proceedings (Clear Springs Delivery Call)*. On August 7, 2006, briefing was received from IGWA and Clear Springs. Since a hearing had yet to occur in the Clear Springs delivery call, IGWA requested that the Director order a hearing during February 2007. *IGWA's Response to Order Requesting Briefing on Further Proceedings*. Clear Springs responded by stating that "The Director has a 'clear legal duty' to administer water rights by priority and this duty is not conditioned on having a set of agency rules. Therefore, the Director must proceed in conformance with Idaho law and the Court's judgment and order in the *AFRD #2* case." *Clear Springs Foods, Inc.'s Response to July 28, 2006 Order* at p. 9.

Following the issuance of the Idaho Supreme Court's decision in *AFRD# 2* on March 5, 2007, the Department and parties to the Clear Springs delivery call participated in numerous, informal discussions regarding resolution of Clear Springs' 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 resolution between the parties as to Clear Springs' call for delivery of senior surface water rights at its Snake River Farm, on April 30, 2007, letters were sent to junior ground water users in the Thousand Springs area of the Snake River of the Director's intent to curtail 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 Clear Springs Foods, Inc. delivery call for its Snake River Farm facility." "The orders will affect consumptive ground water rights bearing priority dates later than . . . June 9, 1975 for the Clear Spring 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 Clear Springs. Judge Butler was later 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 and granted the motions to dismiss IGWA's Complaint for failure to exhaust administrative remedies.

⁴ The Department's Motion for Stay to the Idaho Supreme Court was denied on September 29, 2006.

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 June 7, 2007, the Department received *Clear Springs Foods, Inc. 's Request for Independent Hearing Officer and Disqualification of Director as the Hearing Officer as a Matter of Right*. The pleading is similar in many respects to pleadings previously filed by Clear Springs on July 25, 2005, and August 12, 2005, respectively, in which Clear Springs sought the appointment of an independent hearing officer and disqualification of the Director as hearing officer as a matter of right, respectively.

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 July 2005 Order, as well as all subsequent orders related thereto, as applicable, are incorporated into this order by reference.

Clear Springs’ Water Rights

2. The water rights held by Clear Springs for diversion and use at its Snake River Farm, including those that Clear Springs 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 117.67 cfs for year-round use for fish propagation, are as follows:

Water Right No.:	36-02703	36-02048	36-04013C	36-04013A	36-04013B	36-07148
Source:	Springs ⁵	Springs ⁵	Springs ⁵	Springs ⁵	Springs ⁵	Springs ⁵
Priority Date:	11/23/1933	04/11/1938	11/20/1940	09/15/1955	02/04/1964	01/31/1971
Diversion Rate:	40.00 cfs	20.00 cfs	14.00 cfs	15.00 cfs	27.00 cfs	1.67 cfs

3. Water district nos. 120 and 130 were created pursuant to Idaho Code § 42-604. Water District Nos. 120 and 130 contain water rights that are junior in priority to Clear Springs’ water rights and are from ground water that is hydraulically connected to the source for Clear

⁵ Tributary to Clear Lakes. Source is also known as Clear Springs.

Springs' water rights. Diversion of ground water under these rights could potentially interfere with Clear Springs' water rights.

4. While there are water rights located in Water District No. 140 that are junior in priority to Clear Springs' water rights and are from ground water that is hydraulically connected to the source for Clear Springs' 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. Clear Springs' previously described water rights divert from springs located in the Buhl Gage Thousand Springs reach of the Snake River.

10. As established in the July 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. *July 2005 Order* at p. 37. "[P]hased curtailment will result in simulated cumulative increases to the average discharge of springs in the Buhl Gage to Thousand Springs reach, which includes the springs that provide the source of water for the water rights held by Clear Springs

for its Snake River Farm, at steady state conditions of at least 8 cfs, 16, cfs, 23 cfs, 31 cfs, and 38 cfs, for each year respectively.” *Id.*

11. In 2005, the first year of phased-in curtailment, it was determined by the Director that IGWA provided 8.2 cfs (0.2 cfs overage) to the Buhl Gage to Thousand Springs reach of the Snake River. *Order Approving IGWA’s 2005 Substitute Curtailments (Clear Springs Delivery Call, Snake River Farm)* (April 29, 2006) (“Order Approving 2005 Substitute Curtailments”).

12. In 2006, the second year of phased-in curtailment, it was determined by the Director that IGWA proposed 9.5 cfs (6.5 cfs shortfall) to the Buhl Gage to Thousand Springs reach of the Snake River. *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 ⁶	Voluntary Reductions ⁷	Conversions ⁸	Conveyance Loss ⁹	Total Provided	Required	Shortfall
0.0	0.1	7.3	2.1	9.5	16.0	6.5

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 (Clear Springs)*. 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

⁶ 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.

⁷ 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.

⁸ 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.

⁹ 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.

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 6.5 cfs deficient in its proposed substitute curtailment obligation for 2006, involuntary curtailment of junior priority ground water rights was not ordered, as the Department did not have rules under which to enforce the terms of its orders until the Idaho Supreme Court, on March 5, 2007 reversed Judge Wood's holding that the Department's Conjunctive Management Rules were facially unconstitutional. Since the Supreme Court's ruling, the Department and parties to Clear Springs' 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 10.6 cfs (12.4 cfs shortfall) to the Buhl Gage to Thousand Springs reach of the Snake River. *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 ¹⁰	Total Provided	Required	Shortfall
0.9	0.0	7.3	2.1	0.3	10.6	23.0	12.4

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 July 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 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

¹⁰ 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.

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 1st 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 junior priority ground water rights that the Agreement proposes to mitigate for are located outside of Water District No. 130. The one junior 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. <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 July 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 July 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 July 2005 Order.

Curtailment

26. As previously stated, IGWA's obligation for phased-in substitute curtailment or other means of mitigation under the July 2005 Order is 23 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 10.6 cfs of computed reach gains in the Buhl Gage to Thousand Springs reach of the Snake River for 2007; therefore, IGWA is 12.4 cfs deficient in its obligation.

27. The deficiency of 12.4 cfs to the Buhl Gage to Thousand Springs reach of the Snake River is partially reduced, however, by the IDA Agreement. The IDA Agreement, as currently proposed and conditionally accepted for 2007, provides 2.3 cfs in gains to the Buhl Gage to Thousand Springs reach of the Snake River. Because of the 2.3 cfs increase in gains to the Buhl Gage to Thousand Springs reach of the Snake River, IGWA's 2007 deficiency should be reduced from 12.4 cfs to 10.1 cfs.

28. Based on the simulations using the ESPA ground water model, and taking into consideration the IDA Agreement, 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 No. 130 that have priority dates junior to February 13, 1977 would mitigate the deficiency of 10.1 cfs in the Buhl Gage to Thousand Springs reach of the Snake River.

29. Water right no. 36-8471, held by the J.R. Simplot Company, which is located in Water District No. 130, is subject to curtailment under Clear Springs' call for delivery of senior surface water rights since its priority date is junior to February 13, 1977.

30. Based on the 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 Buhl Gage to Thousand Springs reach of the Snake River. Since ten percent is the established uncertainty for the ESPA ground water model, *July 2005 Order* at p. 5, ¶ 17, 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. 130, there are approximately 497 junior priority ground water rights that are subject to the delivery call filed by Clear Springs. Of that number, there are approximately 155 junior priority ground water rights that are subject to the delivery calls filed by Clear Springs and Blue Lakes Trout Farm, Inc. Curtailment of junior priority ground water rights in Water District No. 130 under Clear Springs' delivery call would result in the curtailment of 14,588 acres.

CONCLUSIONS OF LAW

1. Conclusions of Law set forth in the July 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."

2. 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.

3. The letter received by the Director on May 2, 2005 from Larry Cope of Clear Springs on behalf of its Snake River Farm should be treated as a delivery call under Rule 10.04 of the Conjunctive Management Rules.

4. Based on the July 2005 Order, curtailment of junior priority ground water rights in response to the Clear Springs delivery call 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.

5. In 2005, IGWA met its obligation under the July 2005 Order to provide 8.0 cfs in substitute curtailment water to Buhl Gage to Thousand Springs reach of the Snake River.

6. In 2006, IGWA did not meet its obligation under the July 2005 order to provide 16.0 cfs of substitute curtailment water to the Buhl Gage to Thousand Springs reach of the Snake River. 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 July 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 July 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.

7. IGWA has not met its 2007 obligation under the July 2005 Order to provide 23.0 cfs of substitute curtailment water to the Buhl Gage to Thousand Springs reach of the Snake River. While IGWA has provided 10.6 cfs to the affected reach through its 2007 Replacement Agreement, a deficiency of 12.4 cfs remains.

8. The 12.4 cfs deficiency in the Buhl Gage to Thousand Springs reach of the Snake River is reduced by the IDA Agreement, which provides 2.3 cfs in reach gains to the Buhl Gage to Thousand Springs reach of the Snake River.

9. Based on IGWA's 2007 Replacement Plan and the IDA Agreement, reach gains to the Buhl Gage to Thousand Springs reach of the Snake River are deficient by 10.1 cfs in 2007. Based on simulations using the ESPA ground water model, in order to provide 10.1 cfs of reach gains to the Buhl Gage to Thousand Springs reach of the Snake River, the Director should order curtailment of junior priority ground water rights located in Water District No. 130 bearing priority dates junior to February 13, 1977. 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 Buhl Gage to Thousand Springs reach of the Snake River.

10. 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 July 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.

11. 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 July 2005 Order, which required 60 percent of mitigation to the Devil's Washbowl to Buhl Gage spring reach to be achieved in 2007.

12. As provided by the July 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.

13. 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.

14. 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.

15. 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.

16. 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 calls made by Clear Springs Foods, Inc. for its Snake River Farm, 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 is 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 No. 130, listed in the attachment to this order, and bearing priority dates junior to February 13, 1977. 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 15th day of June, 2007.


DAVID R. TUTHILL, JR.
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th 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
cmm@racinelaw.net

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

JOHN SIMPSON
BARKER RSHOLT
PO BOX 2139
BOISE ID 83701-2139
(208) 344-6034
jks@idahowaters.com

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

LARRY COPE
CLEAR SPRINGS FOODS, INC.
PO BOX 712
BUHL ID 83303-1237
(208) 543-5608

(x) U.S. Mail, Postage Prepaid
() Facsimile
() 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

SCOTT CAMPBELL
MOFFATT THOMAS
PO BOX 829
BOISE ID 83701
(208) 385-5384
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
jeffereday@givenspursley.com

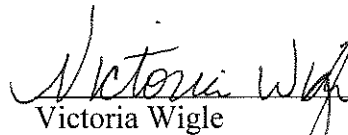
(x) U.S. Mail, Postage Prepaid
() Facsimile
(x) E-mail

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

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

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
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 - Snake River Farm Delivery Call

Water Right Owner	Water Right No.	PRIORITY Date	Diversion Rate (cfs)	Acres	Purpose of Use
4 BROS DAIRY INC	37-7033	7/5/1988	3.2	160	IRRIGATION
4 BROS DAIRY INC	37-7575	3/28/1977	2.21	349	IRRIGATION
A K CORAL CAY TRUST ESTABLISHED 7/27/2001	36-8418	3/16/1989	0.48		STOCKWATER, COMMERCIAL, DOMESTIC
AARDEMA DAIRIES	36-8169	4/6/1983	0.26		STOCKWATER, COMMERCIAL
AARDEMA, CORNELIA; AARDEMA, FRANS; BOX CANYON DAIRY; HEIDA, MARY JANE; HEIDA, THOMAS	36-15181*	4/12/1994	0.23	54	IRRIGATION
AARDEMA, CORNELIA; AARDEMA, FRANS; BOX CANYON DAIRY; HEIDA, MARY JANE; HEIDA, THOMAS	36-8305	2/14/1986	1.9	95	IRRIGATION
AARDEMA, CORNELIA; AARDEMA, FRANS; BOX CANYON DAIRY; HEIDA, MARY JANE; HEIDA, THOMAS	36-8362	6/3/1988	1		STOCKWATER, COMMERCIAL
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	36-10225F	5/1/1985	0.01		STOCKWATER
AARDEMA, DONALD J; AARDEMA, DONALD JOHN; AARDEMA, EVELYN L; AARDEMA, GAYLE; AARDEMA, KRISTYN; AARDEMA, MICHAEL D; AARDEMA, RONALD J; AARDEMA, SARAH J	36-16279	2/22/1978	0.57	302.7	IRRIGATION
AARDEMA, DONALD J; AARDEMA, DONALD JOHN; AARDEMA, EVELYN L; AARDEMA, GAYLE; AARDEMA, KRISTYN; AARDEMA, MICHAEL D; AARDEMA, RONALD J; AARDEMA, SARAH J	36-16281	12/11/1978	0.03	302.7	IRRIGATION
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 J; AARDEMA, DONALD JOHN; AARDEMA, EVELYN L; AARDEMA, GAYLE; AARDEMA, KRISTYN; AARDEMA, MICHAEL D; AARDEMA, RONALD J; AARDEMA, SARAH J	36-7779F	2/22/1978	0.02		STOCKWATER
AARDEMA, DONALD J; AARDEMA, DONALD JOHN; AARDEMA, EVELYN L; AARDEMA, GAYLE; AARDEMA, KRISTYN; AARDEMA, MICHAEL D; AARDEMA, RONALD J; AARDEMA, SARAH J	36-7832F	12/11/1978	0.01		STOCKWATER
AARDEMA, DONALD J; AARDEMA, EVELYN L	36-7734	3/11/1977	1	30	IRRIGATION, STOCKWATER, COMMERCIAL, DOMESTIC
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
AARDEMA, DONALD JOHN	36-7779H	2/22/1978	0.01		IRRIGATION
AARDEMA, DONALD JOHN	36-7832H	12/11/1978	0.01		IRRIGATION
AARDEMA, DONALD JOHN	36-8517	4/3/1990	0.04		STOCKWATER, COMMERCIAL
ABC AGRA LLC	36-8484	12/11/1989	0.08		COMMERCIAL, DOMESTIC
ADKINS, GINA; ADKINS, RICK	36-8525	3/2/1990	0.06	1	IRRIGATION, DOMESTIC

Attachment
Water Rights Subject to Curtailment - Snake River Farm Delivery Call

Water Right Owner	Water Right No.	PRIORITY Date	Diversion Rate (cfs)	Acres	Purpose of Use
ALLEN, HERB; ALLEN, MARY CHUGG; LLOYD, DANIEL; TIERNEY LLOYD, MONA LISA	36-8523	4/25/1990	1.89	115	IRRIGATION
ANDERSON, DONALD M; ANDERSON, JOAN	36-8285	6/14/1985	0.04	2	IRRIGATION
ANDERSON, GEORGE; ANDERSON, MARILYN	36-7777	2/7/1978	1.33	75	IRRIGATION
ANDERSON, LARRY; ANDERSON, RETHA	36-8232	9/27/1983	0.09	1	IRRIGATION, COMMERCIAL, 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
ARKOOSH, KAREN A; ARKOOSH, WILLIAM	37-7570	3/9/1977	4.29	277	IRRIGATION
ASTLE, DOUGLAS D; ASTLE, JANIS L	37-8296	5/11/1987	5	491	IRRIGATION
ASTLE, MICHELE	37-8125	6/23/1983	0.04		STOCKWATER, COMMERCIAL, DOMESTIC
ASTORQUIA, FRANK	37-8338	5/19/1994	0.6	72	IRRIGATION
ASTORQUIA, FRANK; ASTORQUIA, JOSEPHINE	37-7460	7/3/2002	3.06	258	IRRIGATION
BAAR, ANNA E; BAAR, THEODORE; NORTHWEST FARM CREDIT SERVICES FLCA	36-8478	11/7/1989	0.47		STOCKWATER, COMMERCIAL, DOMESTIC
BARNES, T H; COLLINS, LARRY	36-8780	4/17/1998	0.04	1	IRRIGATION, DOMESTIC
BARRYMORE EST SUBDIVISION WATER USERS	36-8155	3/4/1983	0.07		STOCKWATER, DOMESTIC
BAXTER, DAVID W; BAXTER, ELIZABETH R	36-7948	11/21/1980	0.87	160	IRRIGATION
BEADZ, BETTY; BEADZ, JIM	36-7706	5/25/1977	1.45	136	IRRIGATION
BECKLEY, BONNIE B; BECKLEY, R K	37-8138	6/29/1983	0.12		STOCKWATER, COMMERCIAL
BEEM, DONNA L; BEEM, KENNETH C	36-7695	4/13/1977	1	50	IRRIGATION
BENNETT, CAROLE R; BENNETT, JOHN D	37-20931	5/5/2003	0.12	4.3	IRRIGATION
BEORCHIA PROPERTIES AND HOLDINGS LLC	36-8108	8/16/1982	0.03	5	IRRIGATION, STOCKWATER, DOMESTIC
BETTENCOURT, LUIS M	36-10821A	6/1/1979	2.45	138	IRRIGATION
BETTENCOURT, LUIS M	36-10821B	6/9/1979	10.2	626.5	IRRIGATION
BETTENCOURT, LUIS M	36-15161*	4/12/1994	0.14	258	IRRIGATION
BETTENCOURT, LUIS M	36-8081	3/7/1983	0.42	22	IRRIGATION
BETTENCOURT, LUIS M	36-8135	11/5/1983	0.06		STOCKWATER, DOMESTIC
BETTENCOURT, LUIS M	36-8302	11/14/1985	0.96	193.4	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
BETTENCOURT, LUIS M; BETTENCOURT, SHARON L	36-8062	2/9/1982	0.05		STOCKWATER, COMMERCIAL, DOMESTIC
BETTENCOURT, LUIS M; BETTENCOURT, SHARON L	36-8411	4/18/1989	0.5		STOCKWATER, COMMERCIAL
BHB FARMS INC	36-8144	2/2/1983	0.84	42	IRRIGATION
BICKETT, HARVEY B; BICKETT, MYRNA	37-8366	7/14/1988	0.06	0.8	IRRIGATION, DOMESTIC
BIG SKY DAIRY	37-7639A	7/8/1977	2.76	762.6	IRRIGATION
BIG SKY DAIRY	37-8054	7/1/1983	3.34	167	IRRIGATION
BLACK BUTTE HILLS LLC	36-15233*	4/12/1994	0.73	180	IRRIGATION
BLUE LAKES COUNTRY CLUB INC	36-8439	8/17/1989	0.18		COMMERCIAL
BLUE SKY RANCH; KRUCKER, KATHLEEN; KRUCKER, ROBERT	36-8482	11/7/1989	0.05		STOCKWATER
BOER JR, ADRIAN K; BOER, LINDA M; NORTHWEST FARM CREDIT SERVICES FLCA	36-8359	6/15/1988	0.29		STOCKWATER, COMMERCIAL
BOER, DENNIS; BOER, LINDA BROOKS	36-7732B	10/21/1977	0.4		STOCKWATER, COMMERCIAL
BOER, DENNIS; BOER, LINDA BROOKS	36-7732C	10/21/1977	2.64	132	IRRIGATION

Attachment
Water Rights Subject to Curtailment - Snake River Farm Delivery Call

Water Right Owner	Water Right No.	PRIORITY Date	Diversión Rate (cfs)	Acres	Purpose of Use
BOER, DENNIS; BOER, LINDA BROOKS	36-7732D	10/21/1977	0.34		STOCKWATER, COMMERCIAL
BOKMA, FLORA; BOKMA, HARRY B; NORTHWEST FARM CREDIT SERVICES FLCA	36-8662	5/26/1992	0.24		STOCKWATER, COMMERCIAL
BOLINGBROKE, EDNA	36-15177*	4/12/1994	0.55	372	IRRIGATION
BONAWITZ, DANI; BONAWITZ, DUKE	36-8065	2/17/1982	0.12	5	IRRIGATION, DOMESTIC
BOOT JACK DAIRY PARTNERSHIP	37-20395	3/16/1982	2.1	277.4	IRRIGATION
BOOT JACK DAIRY PARTNERSHIP	37-20396	3/16/1982	0.08		STOCKWATER, COMMERCIAL
BOTHOF, GERALD A; BOTHOF, ROGER W	36-8805	10/31/2000	0.03	0.8	IRRIGATION
BOWMAN, GARY F; BOWMAN, ILLONA; BOWMAN, NANCY LEE; BOWMAN, WALLACE NEAL	37-7772	1/11/1980	0.71	38	IRRIGATION
BOX CANYON DAIRY	36-10044*	4/12/1994	0.55	124	IRRIGATION
BOX CANYON DAIRY	36-16278	2/22/1978	0.86	444	IRRIGATION
BOX CANYON DAIRY	36-16280	12/11/1978	0.08	444	IRRIGATION
BOX CANYON DAIRY	36-16282*	4/12/1994	0.26	444	IRRIGATION
BOX CANYON DAIRY	36-7871	9/24/1979	1	40	IRRIGATION, STOCKWATER, COMMERCIAL
BRADLEY, DAWN ANN; BRADLEY, R BRUCE	36-8112	9/7/1982	0.04	1	IRRIGATION, COMMERCIAL, DOMESTIC
BRANCHFLOWER, KATHERINE L; BRANCHFLOWER, MICHAEL G	36-8313A	8/20/1986	1.2	60	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	36-16032	2/22/1978	0.61	318	IRRIGATION
BRANDSMA, ANN; BRANDSMA, HILL A	36-16034	12/11/1978	0.05	318	IRRIGATION
BRANDSMA, ANN; BRANDSMA, HILL A	36-16036*	4/12/1994	0.18	318	IRRIGATION
BRANDSMA, ANN; BRANDSMA, HILL A	36-7799	6/27/1978	0.8	40	IRRIGATION
BRANDSMA, ANN; BRANDSMA, HILL A	36-8140	1/21/1983	0.11		STOCKWATER, COMMERCIAL
BRANDSMA, DEBRA K; BRANDSMA, KENNETH A	36-8252D	10/17/1984	0.52		STOCKWATER, COMMERCIAL
BRANDSMA, DEBRA K; BRANDSMA, KENNETH A	36-8787	1/22/1999	1.05	152	IRRIGATION
BREAULT, LEONARD; BREAULT, RUTH	36-8372	8/3/1988	0.06	3	IRRIGATION
BROWN, JAY A; BROWN, MARIE H	36-8111	8/20/1982	0.76	312	IRRIGATION
BURGOYNE, GLENDA; BURGOYNE, J H	36-8114	6/16/1982	0.04	3	IRRIGATION, DOMESTIC
BYRAM, CYNTHIA C; BYRAM, ERLE B	37-8379	8/22/1988	0.36	17	IRRIGATION, DOMESTIC
C DE KRUYF DAIRY PARTNERSHIP	36-8539	4/13/1990	0.27	1	IRRIGATION, STOCKWATER, COMMERCIAL, DOMESTIC
CALLEN, JERRY; CALLEN, PATRICIA	36-7975	3/20/1981	0.03		STOCKWATER
CAMPBELL, ANNIE M.; CAMPBELL, WILLIAM ROY	36-8535	4/12/1990	0.13	4	IRRIGATION, DOMESTIC
CANDY, MARGARET; CANDY, WALTER W	36-8561	8/24/1990	0.18	6	IRRIGATION, DOMESTIC
CANNEDY, BARRY S	36-8503	2/21/1990	0.04	2	IRRIGATION
CANYONSIDE DAIRY	36-7947	11/28/1980	0.13	4	IRRIGATION, STOCKWATER, DOMESTIC
CARNEY FARMS	36-16395	12/8/1981	0.62	524	IRRIGATION
CARNEY FARMS	36-7949	2/4/1981	1.41	524	IRRIGATION
CARRILLO, CUTBERTO	36-8407	1/19/1989	0.08	3	IRRIGATION, DOMESTIC
CHAMBERS, DEANNA; CHAMBERS, FERRELL J	36-7715	5/26/1977	3.63	257	IRRIGATION
CHAMBERS, DEANNA; CHAMBERS, FERRELL J	36-7885	12/28/1979	0.74	257	IRRIGATION
CHATTERTON, DANIEL GROVER; CHATTERTON, RONDA D	36-8537	4/12/1990	0.16	5	IRRIGATION, STOCKWATER, 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 - Snake River Farm Delivery Call

Water Right Owner	Water Right No.	PRIORITY Date	Diversion Rate (cfs)	Acres	Purpose of Use
CIOCCA, ANN A; CIOCCA, EDWARD M	36-8219	6/30/1983	1.72	86	IRRIGATION
CIOCCA, ANN A; CIOCCA, EDWARD M; NORTHWEST FARM CREDIT SERVICES FLCA	36-8672	9/23/1992	0.06		STOCKWATER
CIOCCA, TONY M; CIOCCA, TRINA A	36-8255	12/7/1984	1.16	154	IRRIGATION
CITY OF DIETRICH	37-8783	2/21/1992	0.45		MUNICIPAL
CITY OF GOODING	37-11221	4/20/1977	5.9		MUNICIPAL
CITY OF GOODING	37-7597	5/5/1977	1.07	78	IRRIGATION
CITY OF HAGERMAN	36-8715	7/2/1993	2		MUNICIPAL
CITY OF HAZELTON	36-7858	6/12/1979	1		MUNICIPAL, DOMESTIC
CITY OF JEROME	36-8237	12/22/1983	2.71		MUNICIPAL
CITY OF SHOSHONE	37-7662	8/30/1977	2.01		MUNICIPAL
CITY OF WENDELL	36-7722	6/20/1977	2.67		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
CLARK, RAYMOND G	36-8286	6/26/1985	0.21	225	IRRIGATION
CLEAR LAKE COUNTRY CLUB	36-8369	7/6/1988	0.07		COMMERCIAL
CNOSSEN BROTHERS CO INC	36-8468	9/26/1989	0.86		COMMERCIAL
CNOSSEN BROTHERS CO INC; NORTHWEST FARM CREDIT SERVICES FLCA	36-8417	3/1/1989	0.76		STOCKWATER, DOMESTIC
COLEMAN, CAROLYN F; COLEMAN, GARY R	37-7639B	7/8/1977	0.13	422	IRRIGATION
COOMBS, MICHAEL R	36-15565	2/5/2001	0.08		DOMESTIC
CORP OF THE PRESIDING BISHOP	36-15564	2/26/1979	0.96	307	IRRIGATION
CORP OF THE PRESIDING BISHOP	36-7782	3/10/1978	2.43	132	IRRIGATION
CORP OF THE PRESIDING BISHOP	36-8239	1/12/1984	0.88	630	IRRIGATION
COUNTRY CLUB ESTATES WATER ASSN INC	36-8607	11/18/1991	0.5		STOCKWATER, DOMESTIC, FIRE PROTECTION
CRESPO, ATILANO	37-7694	1/9/1978	0.1	5	IRRIGATION
CROCKER, BRENT; CROCKER, TONIA	36-8375	7/18/1988	0.04	2	IRRIGATION, DOMESTIC
DANSIE, BERTHA D; DANSIE, ELVOY H	37-8363	8/6/1988	0.05		STOCKWATER, COMMERCIAL, DOMESTIC
DE KRUYF, ALICE RUTH; DE KRUYF, CALVIN	36-10082A*	4/12/1994	0.21	162.7	IRRIGATION
DE KRUYF, CALVIN	36-8481	12/4/1989	0.34		STOCKWATER
DE KRUYF, CALVIN	36-8530	4/5/1990	1		STOCKWATER, COMMERCIAL, DOMESTIC
DE WIT DAIRY	36-8661	5/21/1992	0.26		STOCKWATER, COMMERCIAL
DE WIT, MELINDA; DE WIT, NEIL	36-7714B	5/19/1977	1.44	144	IRRIGATION
DE WIT, NEIL	36-7714A	5/19/1977	2.79	188	IRRIGATION
DE WIT, NEIL	36-8388	5/8/2003	0.3		STOCKWATER, COMMERCIAL
DEWIT DAIRY PARTNERSHIP	36-8491	10/31/1989	0.33		STOCKWATER, COMMERCIAL
DICKINSON, DALE; DICKINSON, MARSHA	36-8681	10/16/1992	0.03	1	IRRIGATION, DOMESTIC
DINGES, RICHARD A	37-7591	5/30/1979	5.21	260.4	IRRIGATION
DINIS, MANUEL A; DINIS, MARIA	36-10656	3/1/1981	0.04		STOCKWATER, COMMERCIAL
DINOS LLC; DINOS LLC	36-8680	10/21/1992	0.1		DOMESTIC
DOTSON, MARK; HOLLANDER, LEWIS	37-8944	11/30/2000	0.2		DOMESTIC
DOUBLE B DAIRY LLC	36-7713A	8/13/1977	0.85	107	IRRIGATION
DOUBLE B DAIRY LLC	36-7713B	8/13/1977	0.13		STOCKWATER, COMMERCIAL
DOUBLE V LLC	37-8756A	2/4/1987	2.41	146.5	IRRIGATION

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

Attachment
Water Rights Subject to Curtailment - Snake River Farm Delivery Call

Water Right Owner	Water Right No.	PRIORITY Date	Diversión Rate (cfs)	Acres	Purpose of Use
DOUBLE V LLC	37-8756B	2/4/1987	2.41	146.5	IRRIGATION
DOUBLE V LLC; VANDERVEGT, RAY	36-8047B	12/9/1981	0.17		STOCKWATER, COMMERCIAL
DOUBLE V LLC; VANDERVEGT, RAY	36-8047D	12/9/1981	0.26		STOCKWATER, COMMERCIAL
DOUBLE V LLC; VANDERVEGT, RAY	36-8047E	12/9/1981	0.8	81	IRRIGATION
DOUBLE V LLC; VANDERVEGT, RAY	36-8047F	12/9/1981	0.09		STOCKWATER, COMMERCIAL
DOUBLE V LLC; VANDERVEGT, RAY	36-8313B	8/20/1986	0.32	16	IRRIGATION
DUNFORD, ARTHUR J; DUNFORD, BULAH A	36-8161	3/31/1983	1.8	446	IRRIGATION
DURAND, DANIEL G; DURAND, VICKY S	37-8410	10/4/1988	0.03		STOCKWATER, COMMERCIAL, DOMESTIC
DURFEE, BRENDA J; DURFEE, JAMES M	36-8367	6/21/1988	0.11		STOCKWATER, COMMERCIAL
DURFEE, DEWEY D	36-7641	5/19/1983	1.28	64	IRRIGATION
EDWARDS, KENT F	36-8628	11/26/1991	0.18	8	IRRIGATION, STOCKWATER, DOMESTIC
ENVIRON INC	36-7793	6/1/1978	2.26	144	IRRIGATION
ENVIRON INC	36-7946	1/8/1981	0.05		STOCKWATER, COMMERCIAL
EQUITY LIVESTOCK CREDIT CORP	36-14988	12/31/1983	0.07		STOCKWATER, COMMERCIAL, DOMESTIC
ESTATE OF RAY CHUGG	36-8266	3/18/1985	0.12		STOCKWATER, COMMERCIAL, DOMESTIC
EVERS BROTHERS PARTNERSHIP; NORTHWEST FARM CREDIT 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	37-7808	11/16/1979	3.26	163	IRRIGATION
FAULKNER LAND & LIVESTOCK CO INC	37-8005B	3/20/1982	2.02	264	IRRIGATION
FAULKNER LAND & LIVESTOCK CO INC	37-8005C	3/20/1982	1.6	264	IRRIGATION
FAULKNER LAND & LIVESTOCK CO INC	37-8005D	3/20/1982	0.41	264	IRRIGATION
FAULKNER LAND & LIVESTOCK CO INC	37-8720	4/23/1991	3.2	324	IRRIGATION
FLEMING FAMILY PARTNERSHIP; FLEMING, BILL C	36-7681A	2/14/1977	0.9	56.7	IRRIGATION
FLEMING FAMILY PARTNERSHIP; FLEMING, BILL C; FLEMINGO DAIRY	36-7681B	2/14/1977	0.08		STOCKWATER, COMMERCIAL, DOMESTIC
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
FORSYTH, DANNY R; FORSYTH, GINGER	36-8531	4/24/1990	0.05	0.8	IRRIGATION, DOMESTIC
FOUR BROTHERS DAIRY INC	37-8814	7/10/1983	0.1		STOCKWATER, COMMERCIAL
FRANCIS, MARK	36-8371	7/20/1988	0.06	2	IRRIGATION, DOMESTIC
FRAZIER FAMILY TRUST DTD 6/19/80 4% UNDIVIDED INT; FRAZIER, JAMES F; FRAZIER, JEFFREY W; FRAZIER, JOE K; FRAZIER, JORDAN P	36-7745	8/15/1977	4.5	292	IRRIGATION
FRAZIER FAMILY TRUST DTD 6/19/80 4% UNDIVIDED INT; FRAZIER, JAMES F; FRAZIER, JEFFREY W; FRAZIER, JOE K; FRAZIER, JORDAN P	36-8049	12/21/1981	0.94	47	IRRIGATION
G & G DAIRY	36-8215	6/22/1983	0.07		STOCKWATER, COMMERCIAL, DOMESTIC
G & G DAIRY	36-8735	1/10/1992	0.13		STOCKWATER, COMMERCIAL
G & G DAIRY; GILTNER, BILL; GRIFFITH, MIKE	36-8532	4/10/1990	0.18		STOCKWATER
GILLETTE, CINDY L; GILLETTE, LARRY R	37-8742	3/28/1991	4.21	995.5	IRRIGATION
GLANBIA FOODS INC	37-7576	3/29/1977	2.5	983.7	IRRIGATION
GLANBIA FOODS INC	37-7677	9/15/1977	2	622	IRRIGATION
GLANBIA FOODS INC	37-8903	9/17/1999	1.67		COMMERCIAL
GLENDENNING, DOUGLAS E; GLENDENNING, ROSE M	36-8545	4/26/1990	0.09		STOCKWATER, COMMERCIAL

Attachment
Water Rights Subject to Curtailment - Snake River Farm Delivery Call

Water Right Owner	Water Right No.	PRIORITY Date	Diversion Rate (cfs)	Acres	Purpose of Use
GOEDHART, HUGO; GOEDHART, MARY	36-8774	3/10/1998	0.13		STOCKWATER, DOMESTIC
GOMEZ, JOHN	36-7847	3/28/1979	0.56	28	IRRIGATION
GOMEZ, JOHN	36-8396	10/20/1992	0.2		STOCKWATER, COMMERCIAL
GOOCH, BEATRICE; GOOCH, ELLIS	37-8839	11/22/1994	0.1		STOCKWATER
GOODING URBAN RENEWAL AGENCY	37-8289	2/23/1987	0.11		COMMERCIAL
GORZEMAN, GARY A; GORZEMAN, TAMI J	37-8867	11/25/1977	0.14		STOCKWATER, COMMERCIAL
GOTT, MIKE	36-8534	4/27/1990	0.1	2.5	IRRIGATION, DOMESTIC
GRANT, ANGELA; GRANT, RANDY; HAGAN, ROCKY	36-14202*	4/12/1994	0.2	130	IRRIGATION
GULICK, LARRY	36-8507	2/1/1990	0.06		STOCKWATER, COMMERCIAL
GULLEY, JUDY L; GULLEY, WILLIAM F	36-8789	3/23/1999	0.44	22.2	IRRIGATION
GUNNING, F F; GUNNING, G C	36-8063A	2/16/1982	2.14	329	IRRIGATION
H & S FARMS INC	36-8401	11/28/1988	0.68	360	IRRIGATION
H & S FARMS INC	36-8402	11/28/1988	0.84	314	IRRIGATION
HAAGSMA FAMILY TRUST	36-7337B	11/25/1977	1.34	138	IRRIGATION
HARMS, BOYD L	36-7817	10/14/1978	1.1	55	IRRIGATION
HARMS, BOYD L	36-7877	12/21/1979	0.83	68	IRRIGATION
HARRIS, SAMUEL R	37-20741	7/11/2002	0.2		DOMESTIC
HEIDA, MARY JANE; HEIDA, THOMAS	36-7682	2/14/1977	1.24	78	IRRIGATION
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
HILT, ARIE; HILT, CECIL; HILT, HENRIETTA	36-8265	3/7/1985	0.15		STOCKWATER, COMMERCIAL
HILT, DARYL; HILT, ELAINE	37-8055	10/28/1982	0.08		STOCKWATER, COMMERCIAL, DOMESTIC
HIRAI, JACK J; MATTHEWS, J W	36-8585	8/11/1988	0.22	171	IRRIGATION
HOLTZEN FARMS INC	36-8603	6/14/1991	0.14		STOCKWATER
HORIZON ORGANIC DAIRY IDAHO FARM INC	36-16045	10/19/1981	1.95	182	IRRIGATION
HORIZON ORGANIC DAIRY IDAHO FARM INC	36-16046	10/19/1981	0.05		STOCKWATER, COMMERCIAL
HORIZON ORGANIC DAIRY IDAHO FARM INC	36-16055	12/8/1981	4.12	522.6	IRRIGATION
HORIZON ORGANIC DAIRY IDAHO FARM INC	36-16056	12/8/1981	0.61		STOCKWATER, COMMERCIAL
HORIZON ORGANIC DAIRY IDAHO FARM INC	36-16396	12/8/1981	0.75		STOCKWATER, COMMERCIAL
HORIZON ORGANIC DAIRY IDAHO FARM INC	36-7801	8/24/1978	0.89		STOCKWATER, COMMERCIAL
HORIZON ORGANIC DAIRY IDAHO FARM INC	36-8005B	12/8/1981	0.27		STOCKWATER, COMMERCIAL
HORIZON ORGANIC DAIRY IDAHO FARM INC	36-8011B	12/24/1981	0.14		STOCKWATER
HORIZON ORGANIC DAIRY IDAHO FARM INC	36-8014	11/4/1981	0.26		STOCKWATER, COMMERCIAL, DOMESTIC
HORIZON ORGANIC DAIRY IDAHO FARM INC	36-8015	12/24/1981	0.46		STOCKWATER, COMMERCIAL
HORIZON ORGANIC DAIRY LLC	36-7688	4/6/1977	8.36	513	IRRIGATION
HORIZON ORGANIC DAIRY LLC	36-8008	12/8/1981	0.84	314	IRRIGATION
HUBSMITH, IRIS B; HUBSMITH, LOUIS L	37-8093	3/17/1984	0.08		STOCKWATER, COMMERCIAL
HULTS, JOSEPH; HULTS, KAY A; MEYERS, KATHI L; MEYERS, ROBERT J	37-7611	5/23/1977	2.4	120	IRRIGATION, STOCKWATER
HUMAN, KELLY C	37-8707	3/26/1991	2	100	IRRIGATION
INFANGER, DEBRA A; INFANGER, JOHN N	37-20800	9/10/2002	0.14		DOMESTIC
J R SIMPLOT CO	36-8471	10/4/1989	0.18		COMMERCIAL
JACKSON, LAVAR R; VEENSTRA, FRANK W; VEENSTRA, MARY JANE	36-8101	7/13/1982	0.8	40	IRRIGATION
JEROME CHEESE CO	36-7337F	11/25/1977	0.66		COMMERCIAL

Attachment
Water Rights Subject to Curtailment - Snake River Farm Delivery Call

Water Right Owner	Water Right No.	PRIORITY Date	Diversion Rate (cfs)	Acres	Purpose of Use
JEROME COUNTRY CLUB INC	36-8344	2/12/1988	0.41	104	IRRIGATION
JEROME COUNTRY 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 LEZAMIZ FAMILY LIMITED PARTNERSHIP	37-20816	11/12/1981	0.49	195.4	IRRIGATION
JOHN LEZAMIZ FAMILY LIMITED PARTNERSHIP	37-20817	11/12/1981	0.47	187	IRRIGATION
JOHNSON, BECKY; JOHNSON, CHARLES; NELSON, JACK; NELSON, KATHY	37-21644	2/2/2006	0.12		DOMESTIC
K & W DAIRY	36-10225D	5/1/1985	0.06		STOCKWATER, COMMERCIAL
K & W DAIRY	36-10225K*	4/12/1994	0.58	1064.7	IRRIGATION
K & W DAIRY	36-7779D	2/22/1978	0.19		STOCKWATER, COMMERCIAL
K & W DAIRY	36-7779K	2/22/1978	1.93	1064.7	IRRIGATION
K & W DAIRY	36-7832D	12/11/1978	0.02		STOCKWATER, COMMERCIAL
K & W DAIRY	36-7832K	12/11/1978	0.16	1064.7	IRRIGATION
K & W DAIRY	36-8175	4/1/1984	0.17		STOCKWATER, COMMERCIAL
K L BLACK TRUST	36-7726	6/23/1977	4	261	IRRIGATION
KEARLEY, SUSAN L; KEARLEY, WILLIAM P	36-10547*	4/12/1994	0.25	154	IRRIGATION
KEARLEY, WILLIAM P	36-8200	5/26/1983	0.28	154	IRRIGATION
KECHTER, RICHARD L	36-15165*	4/12/1994	2.2	2785	IRRIGATION
KECHTER, RICHARD L	36-16421	12/30/1983	0.13	2785	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
KECHTER, RICHARD L	36-8403	11/28/1988	0.31	2785	IRRIGATION
KESTIE, HOWARD K	37-7755	12/4/1978	0.04	2	IRRIGATION, DOMESTIC
KIME, MARK	37-7998	1/29/1982	0.04		STOCKWATER, COMMERCIAL
KISLING FARMS	37-8078	5/15/1983	2	116	IRRIGATION
KLOSTERMAN, KENT L	36-7974	3/25/1981	2.6	201	IRRIGATION
KUNSMAN, SHIRLEY	36-8249	7/12/1984	0.09	2.5	IRRIGATION, DOMESTIC
KUNSMAN, SHIRLEY	36-8306	2/26/1986	0.08	2.5	IRRIGATION
LANIER, BLANCHE; LANIER, MELVIN	36-8501	2/21/1990	0.07	1.5	IRRIGATION, DOMESTIC
LAST RANCH LLC	36-16140*	4/12/1994	0.03	32	IRRIGATION
LAZY P FARMS; PAULS, DEBBRAH; PAULS, EMIL V; PAULS, RONALD	37-8147	6/27/1983	0.04	1.8	IRRIGATION, STOCKWATER, DOMESTIC
LEDBETTER, GREG; LEDBETTER, JANE F	36-16186	10/28/1977	0.75	154	IRRIGATION
LEDBETTER, JANE F; MILLER, TED	36-8223	3/11/1984	0.62	5	IRRIGATION, STOCKWATER, COMMERCIAL, DOMESTIC
LEDERER, PAUL H; LEDERER, SHARON	36-7939A	11/29/1980	0.84	69.5	IRRIGATION
LEDERER, PAUL H; LEDERER, SHARON	36-7939B	11/29/1980	0.05	0.5	IRRIGATION, STOCKWATER, COMMERCIAL, DOMESTIC
LEED CORP	37-21952	9/26/2006	0.44		DOMESTIC
LENORE HUETTIG FAMILY LIMITED PARTNERSHIP	36-8147	3/1/1983	1.6	511	IRRIGATION
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
L-M DAIRY	36-8224	6/29/1983	0.17	2	IRRIGATION, STOCKWATER, COMMERCIAL, DOMESTIC
LONG VIEW DAIRY	36-16185	6/30/1983	2.03	131	IRRIGATION
LONG VIEW DAIRY	36-8061	2/9/1982	0.2		STOCKWATER, COMMERCIAL
MADALENA, GRACE V; MADALENA, JOHN	36-8276	6/6/1985	0.14	121	IRRIGATION

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

Attachment
Water Rights Subject to Curtailment - Snake River Farm Delivery Call

Water Right Owner	Water Right No.	PRIORITY Date	Diversion Rate (cfs)	Acres	Purpose of Use
MAGIC VALLEY DAIRY SUPPLY INC	36-8538	6/1/1990	0.4		STOCKWATER, COMMERCIAL
MARTIN FARMS CO	36-7906A	3/26/1980	0.35	234	IRRIGATION
MARTIN FARMS CO	36-7906B	3/26/1980	0.11		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
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
MC CLYMONDS, MICHAEL J	36-7873	9/27/1979	0.08	4.5	IRRIGATION, DOMESTIC
MC DONALD, FRANK F	36-8516	3/2/1990	0.11	3	IRRIGATION, DOMESTIC
MC MINN, DALE M	36-16109	11/19/1979	0.06	2	IRRIGATION, DOMESTIC
MC REITS LLC	36-8382	8/16/1988	0.67		STOCKWATER, COMMERCIAL, DOMESTIC
MEEKS FAMILY LIMITED PARTNERSHIP	36-7684	3/2/1977	1.41	180	IRRIGATION
MEEKS, DIANE SAWYER; MEEKS, JAMES D	36-7336	8/8/1986	0.88	87	IRRIGATION
MENSINGER, PAUL; VOGT, EVELYN	36-16136	11/25/1977	0.36	18	IRRIGATION
MERRITT, ROSEMARY; MERRITT, VERL D	36-8186	5/17/1983	0.04		COMMERCIAL, DOMESTIC
					IRRIGATION, IRRIGATION STORAGE, IRRIGATION FROM STORAGE,
METZ, JOHN B	36-7748	8/25/1977	0.22	5	STOCKWATER, DIVERSION TO STORAGE
MEYERS, ROBERT J	36-7854	2/16/1990	2.71	142	IRRIGATION
MILLARD, DAVID; SLIGAR, KEITH; STANLEY, RONALD L	36-8234	1/11/1984	1.23	14	IRRIGATION, COMMERCIAL, DOMESTIC, RECREATION
MILLENKAMP, SUSAN; MILLENKAMP, WILLIAM J	36-8054	4/24/1990	2.3	217.8	IRRIGATION
MILLER, DIANE M; MILLER, GUS E	37-8373	8/10/1988	0.04	2	IRRIGATION, STOCKWATER, DOMESTIC
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
MOSS GREENHOUSES INC; MOSS, CAROLYN A	36-8298	9/23/1985	0.27		COMMERCIAL
MOSS, CAROLYN A; MOSS, DE WITT A	36-7898	2/27/1980	0.06		COMMERCIAL, DOMESTIC
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
MURPHY, LA VERN A	36-8361	5/31/1988	0.09	3	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
NELSEN DAIRY	36-8745	11/7/1995	0.14		STOCKWATER, COMMERCIAL
NELSON, BRYANT; NELSON, SONYA	36-7700	5/2/1977	0.73	88	IRRIGATION, STOCKWATER
NELSON, CARL L; NELSON, JEANETTE; TRIPLE N FARMS	36-7921	6/4/1980	0.09		INDUSTRIAL, DOMESTIC
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
NEUMANN, DAVID A; NEUMANN, SUZANNE	37-7837	6/24/1980	0.1	5	IRRIGATION, STOCKWATER
NORTH RIM FAIRWAYS OWNERS ASSN INC	36-8399	1/5/1995	0.41		DOMESTIC
NORTH SNAKE GROUND WATER DIST	36-16178	11/25/1977	0.26	13	IRRIGATION
NORTH VALLEY MILK INC	37-8813	10/14/1983	0.13		STOCKWATER, COMMERCIAL
NORTHSIDE DAIRY	36-8490	11/7/1989	0.27		STOCKWATER, COMMERCIAL, DOMESTIC
NORTHVIEW WATER ASSN INC	36-16204	2/9/2004	0.18	9	IRRIGATION
NORTHVIEW WATER ASSN INC	36-8747	2/2/1996	0.35	8	IRRIGATION, DOMESTIC

Attachment
Water Rights Subject to Curtailment - Snake River Farm Delivery Call

Water Right Owner	Water Right No.	PRIORITY Date	Diversion Rate (cfs)	Acres	Purpose of Use
NORTHWEST FARM CREDIT SERVICES FLCA; OKELBERRY FARMS INC	36-8673	9/8/1992	0.26	315	IRRIGATION
NORTHWEST FARM CREDIT SERVICES FLCA; PETE & JANE REITSMA LIVING TRUST	36-8378	7/23/1997	0.23		STOCKWATER, COMMERCIAL
NORTHWEST FARM CREDIT SERVICES FLCA; VAN BEEK, JOHN W	36-8165	4/7/1983	0.88		STOCKWATER, COMMERCIAL
NORTHWEST FARM CREDIT SERVICES FLCA; VAN DYK, MARIE C; VAN DYK, RICHARD B	36-8547	4/25/1990	0.33		STOCKWATER, COMMERCIAL, DOMESTIC
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 DAIRY LLC	36-15563	2/26/1979	1.91	608	IRRIGATION
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
OLSEN, RICHARD ARTHUR	37-8374	7/8/1988	0.15	3	IRRIGATION, STOCKWATER, DOMESTIC
OPPIO FAMILY LIMITED PARTNERSHIP	37-19848*	4/12/1994	0.29	142.4	IRRIGATION
OPPIO FAMILY LIMITED PARTNERSHIP	37-8010	12/5/1982	2.52	142.4	IRRIGATION
OPPIO FAMILY LIMITED PARTNERSHIP	37-8756C	2/4/1987	1.34	67	IRRIGATION
ORTH SR, FRANK L	36-8164	6/27/1985	2.08	104	IRRIGATION
OSBORNE, JUDY; OSBORNE, LAYNE	36-16146	11/25/1977	0.08	4	IRRIGATION
PALACIO, THOMAS R	37-7629	6/14/1977	1.3	76	IRRIGATION
PARKINSON, ROBERT J	36-8591	3/6/1991	1	66	IRRIGATION
PARNELL, KEVIN	37-21266	2/27/1979	0.07	3.6	IRRIGATION, MITIGATION
PATTERSON LAND & LIVESTOCK INC	37-7952	11/18/1981	0.15	10	IRRIGATION
PETERS, THOMAS R	36-8577	2/28/1991	1.68	94	IRRIGATION
PETERSON, DELORES J	36-8208	5/20/1985	0.1	2	IRRIGATION, DOMESTIC
PETTA, DANIEL FREDRICK	36-16144	11/25/1977	0.02	1	IRRIGATION
PETTERSON, REBECCA L; PETTERSON, TIM	36-8533	4/11/1990	0.1		STOCKWATER, COMMERCIAL, DOMESTIC
PIERSON, MARGARET A; PIERSON, MARVIN E	37-7649	7/27/1978	2.99	181	IRRIGATION
POPA, DAN; POPA, PAM	36-8197	6/7/1983	0.08	2.5	IRRIGATION, DOMESTIC
PRESCOTT, GWENNA R; PRESCOTT, WADE L	36-7958	1/9/1981	5.8	290	IRRIGATION
PRINCE, CARL L; PRINCE, JAMES J	36-8505	2/23/1990	0.08		STOCKWATER, COMMERCIAL, DOMESTIC
RANGEN INC	36-8048	12/21/1981	0.41	20.2	IRRIGATION
RAY, JUDITH K; RAY, LEO E	36-7995	7/17/1981	0.2		COMMERCIAL, DOMESTIC
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
RESERVOIR LAND CO INC	36-8466	10/4/1989	0.03		COMMERCIAL
RICHARDS, BETH N; RICHARDS, JACKSON H	36-16110	11/19/1979	0.06	3	IRRIGATION
RIETKERK, GEORGE; RIETKERK, NANCY	36-7888	1/10/1980	0.07	1	IRRIGATION, STOCKWATER, DOMESTIC
RIETKERK, JOHN H; RIETKERK, RHONDA M	36-7691	3/22/1977	0.7	220	IRRIGATION
RITCHIE, JAMES M; RITCHIE, KARLYN	36-7752	9/28/1977	3.58	251	IRRIGATION
RITCHIE, JAMES M; RITCHIE, KARLYN	36-8077	7/12/1984	1.6	330	IRRIGATION

Attachment
Water Rights Subject to Curtailment - Snake River Farm Delivery Call

Water Right Owner	Water Right No.	PRIORITY Date	Diversion Rate (cfs)	Acres	Purpose of Use
ROCHA DAIRY	36-8379	8/19/1988	0.38		STOCKWATER, COMMERCIAL, DOMESTIC
RODRIGUEZ, EMMA J; RODRIGUEZ, RAFAEL	37-8033	8/6/1982	0.06	1	IRRIGATION, DOMESTIC
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
ROOST POTATO CO INC	36-7829	11/9/1978	4.8	633	IRRIGATION
ROTH INVESTMENTS LLC	36-7894A	2/26/1980	19.86	1067	IRRIGATION
ROTH INVESTMENTS LLC	36-7894B	2/26/1980	0.31		STOCKWATER, COMMERCIAL
ROTH, JAMES	36-15222*	4/12/1994	0.52	235	IRRIGATION
ROTH, MARY ELLEN; ROTH, SIMON A	36-7705	5/16/1977	2.09	167	IRRIGATION
ROTHROCK SR, DAVID EUGENE; ROTHROCK, DONA R	37-7700	3/13/1978	0.51	27	IRRIGATION
ROYCE, DAN; ROYCE, JO ANNE	36-8609	10/21/1991	0.02	2.5	IRRIGATION, STOCKWATER, DOMESTIC
RUBY RANCH INC	36-7860	6/20/1979	1.01	51	IRRIGATION
RUBY, KENNETH E	36-7794	4/28/1978	0.38	19	IRRIGATION
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
SCARROW, JIM D	36-7337K	11/25/1977	1.3		STOCKWATER, COMMERCIAL
SCARROW, JIM D	36-8263	2/3/1985	0.85	128	IRRIGATION
SCARROW, JIM D	37-8152	6/30/1983	0.25		STOCKWATER
SCARROW, JIM D	37-8901	11/25/1977	0.2		STOCKWATER
SCHAEFFER, DAN; SCHAEFFER, JAMES K	36-8220B	2/7/1990	1.2	162	IRRIGATION
SCHOTH, WARREN E	36-8589	5/9/1991	0.13	3	IRRIGATION, DOMESTIC
SHADY GROVE DAIRY FARM	37-8751	6/11/1991	0.11		STOCKWATER, COMMERCIAL, DOMESTIC
SHAW, ACEY RYAN; SHAW, JALYN BELLE; SHAW, RITA S; SHAW, WILLIAM HUBERT	37-21264	2/27/1979	0.63	31.5	IRRIGATION
SHAW, RITA S; SHAW, WILLIAM HUBERT	37-7716	5/22/1978	0.78	220	IRRIGATION
SHAW, RITA S; SHAW, WILLIAM HUBERT	37-7726	8/10/1978	0.82	220	IRRIGATION
SHAW, WILLIAM HUBERT	37-7768	2/28/1979	0.18		STOCKWATER
SHAW, WILLIAM HUBERT	37-7814	12/12/1979	0.14	461.7999878	IRRIGATION
SHAW, WILLIAM HUBERT	37-8705	2/21/1991	7	420	IRRIGATION
SHEPARD, JANET; SHEPARD, ROBERT J	36-7737A	7/29/1977	1.42	120	IRRIGATION
SHEPARD, JANET; SHEPARD, ROBERT J	36-7737B	7/29/1977	0.16	142	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
SLIMAN, MICHAEL E; SLIMAN, MIKE G	37-8061	12/9/1982	0.07	1	IRRIGATION, DOMESTIC
SMITH, RONNIE D; SMITH, SHARLENE M	36-8333	8/25/1987	3.66	183	IRRIGATION
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	36-7779B	2/22/1978	0.51	273	IRRIGATION
SOUTH VIEW DAIRY	36-7832B	12/11/1978	0.04	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	36-2907	4/26/1990	0.8	436	IRRIGATION

Attachment
Water Rights Subject to Curtailment - Snake River Farm Delivery Call

Water Right Owner	Water Right No.	PRIORITY Date	Diversion Rate (cfs)	Acres	Purpose of Use
SOUTHFIELD DAIRY	36-8063C	2/21/1982	0.3	99	IRRIGATION
SOUTHFIELD DAIRY	36-8252E	10/17/1984	0.1	99	IRRIGATION
SOUTHFIELD DAIRY	36-8387	8/31/1988	2.48	149	IRRIGATION
SOUTHFIELD DAIRY	36-8529	4/5/1990	0.66	33	IRRIGATION
SOUTHFIELD DAIRY	36-8608	9/3/1991	0.86	2	IRRIGATION, STOCKWATER, COMMERCIAL, DOMESTIC
SOUTHFIELD DAIRY	36-8760	12/4/1990	1.52	436	IRRIGATION
SOUTHFIELD DAIRY	37-7572	3/21/1977	2.53	576	IRRIGATION
SOUTHFIELD DAIRY	37-7634	5/23/1977	1.31	576	IRRIGATION
SOUTHFIELD DAIRY	37-8326	1/6/1988	1.36	602	IRRIGATION
SOUTHFIELD DAIRY	37-8732	4/13/1991	3	587	IRRIGATION
SPENCER, GLEN D	36-8536	4/12/1990	0.03	1	IRRIGATION, DOMESTIC
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
STAR FALLS FARMS LLC; THE ESTATE OF GERALD HUETTIG DECEASED	36-8289	6/26/1985	0.04	511	IRRIGATION
STATE OF IDAHO	37-7372	6/30/1999	6.54	320	IRRIGATION, STOCKWATER
STEWART, FRED R; STEWART, PHYLLIS L	36-7698	4/22/1977	2.36	160	IRRIGATION
STEWART, FRED R; STEWART, PHYLLIS L	36-8568	11/7/1990	0.79	240	IRRIGATION
STOKES, SHIRLEY W	36-8409	1/23/1989	0.2	10	IRRIGATION
STOUDER HOLSTEINS LLP	36-8225A	11/19/1983	0.54	1.5	IRRIGATION, STOCKWATER, COMMERCIAL
STOUDER HOLSTEINS LLP	36-8225B	11/19/1983	0.18		STOCKWATER
STOUDER HOLSTEINS LLP	36-8350	4/5/1988	0.31		STOCKWATER, COMMERCIAL
SUHR, DANIEL A; SUHR, DONNA DEE	36-14317*	4/12/1994	0.67	153	IRRIGATION
SWEET, GOLDIE V; SWEET, WILLIAM G	37-7692	12/21/1977	4	196	IRRIGATION
SYBESMA, CAROL; SYBESMA, DAVID C	36-8351	6/15/1988	0.19		STOCKWATER, COMMERCIAL, DOMESTIC
SYBRANDY, ANNA; SYBRANDY, IDA; SYBRANDY, SIMON	36-8408	1/19/1989	0.31		COMMERCIAL, DOMESTIC
TABER, BEVERLY	37-7877A	2/5/1981	0.02	1	IRRIGATION
TABER, BEVERLY; TABER, DONALD	37-7617A	6/2/1977	3.64	186	IRRIGATION
TABER, BEVERLY; TABER, DONALD	37-7617B	6/2/1977	0.14		STOCKWATER, COMMERCIAL
TABER, DONALD	37-10158*	4/12/1994	1.78	466	IRRIGATION
TABER, DONALD	37-8401	9/20/1988	6.68	334	IRRIGATION
TED MILLER DAIRY	36-16187	10/28/1977	0.75	150	IRRIGATION
TELFORD, MICHAEL S	37-7949	11/4/1981	0.16		STOCKWATER, COMMERCIAL
TERRONEZ, EUGENE THOMAS; TERRONEZ, JUDITH J	36-7924	6/30/1980	0.08	1	IRRIGATION, STOCKWATER, DOMESTIC
THE ALTON & PAULA HUYSER TRUST UNDER TRUST AGREEMENT DTD 4-1-2001	37-7602	5/4/1977	2.62	131	IRRIGATION
THE ALTON & PAULA HUYSER TRUST UNDER TRUST AGREEMENT DTD 4-1-2001	37-8679	8/23/1990	0.16	8	IRRIGATION
THE BENEDICTINE MONKS OF IDAHO INC	36-7904	3/26/1980	0.38	425	IRRIGATION
THOMPSON, CONNIE JO; THOMPSON, MICHAEL	36-7337H	11/25/1977	0.3		STOCKWATER, COMMERCIAL
THORNTON, BETTY J; THORNTON, JOHN R	36-7927	7/15/1980	0.07	1	IRRIGATION, DOMESTIC
TOLMAN, DON C; TOLMAN, HAZEL F	36-8247	6/12/1984	0.08		STOCKWATER, COMMERCIAL, DOMESTIC
TOONE, MARK S; TOONE, SALLY J	37-7816	12/26/1979	2.25	138	IRRIGATION
TOWNE, DELORIS E; TOWNE, RALPH W P	37-8211	5/16/1983	0.05		STOCKWATER, COMMERCIAL
TRAVELERS OASIS TRUCK PLAZA; WILLIE, DANIEL L	36-8766	6/8/1997	0.11		COMMERCIAL

Attachment
Water Rights Subject to Curtailment - Snake River Farm Delivery Call

Water Right Owner	Water Right No.	PRIORITY Date	Diversion Rate (cfs)	Acres	Purpose of Use
TRAVELERS OASIS TRUCK PLAZA; WILLIE, DANIEL L	36-8767	6/19/1997	0.11		COMMERCIAL
UNIT 3 WATER ASSN INC	36-8090	6/16/1982	0.51	24	IRRIGATION, STOCKWATER, DOMESTIC, FIRE PROTECTION
UNIT 3 WATER ASSN INC	36-8727	5/5/1994	0.45		DOMESTIC
UNITED STATES OF AMERICA ACTING THROUGH	37-20849	10/6/1977	0.42	30	IRRIGATION
UNITED STATES OF AMERICA ACTING THROUGH	37-20851*	4/12/1994	0.02	30	IRRIGATION
UNITED STATES OF AMERICA ACTING THROUGH	37-8167	1/23/1984	0.03		STOCKWATER
UR FARMS LIMITED PARTNERSHIP	36-8549	6/28/1990	0.09		STOCKWATER, COMMERCIAL
UR FARMS LIMITED PARTNERSHIP	37-21160	2/27/1979	0.12		MITIGATION
U-U RANCH LLC	36-8050	12/11/1981	4.06	699	IRRIGATION
V & L DAIRY	36-15211*	4/12/1994	0.33	75	IRRIGATION
V AND L DAIRY	36-8649	1/25/1978	1.47	73.5	IRRIGATION
VALLEY SCHOOL DISTRICT #262	36-16299	9/22/2004	2		DOMESTIC, FIRE PROTECTION
VAN BEEK, DIANNE; VAN BEEK, JOHN W	36-8021	1/2/1982	0.22		STOCKWATER, COMMERCIAL
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
VAN DYK, MARIE C; VAN DYK, RICHARD B	36-7738	9/7/1977	2.5	125	IRRIGATION
VAN DYK, RICHARD B; VAN DYK, TAMMY D	36-7760	11/7/1977	2.3	222	IRRIGATION
VAN DYK, RICHARD B; VAN DYK, TAMMY D	36-8389	9/1/1988	0.18		STOCKWATER, COMMERCIAL
VAN TASSELL, AFTON; VAN TASSELL, GAIL	36-7966	2/23/1981	0.37	837	IRRIGATION
VAN TASSELL, PERRY	36-7784A	3/17/1978	3.23	272	IRRIGATION
VAN TASSELL, PERRY	36-7784B	3/17/1978	1.11	305	IRRIGATION
VANDEN BOSCH SR, MARVIN L; VANDEN BOSCH, JEANNETTE	36-7954	12/30/1980	0.07	2	IRRIGATION, DOMESTIC
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 DAIRY	36-16100	5/9/1988	0.09		STOCKWATER, COMMERCIAL
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
VEENHOUWER, DAVID	36-8422	4/20/1989	0.2		STOCKWATER, COMMERCIAL
VEENHOUWER, DAVID; VEENHOUWER, TOBIE	36-8060	2/9/1982	0.2		COMMERCIAL
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
VEENSTRA, FRANK W; VEENSTRA, MARY JANE	36-8100	7/13/1982	0.15	5	IRRIGATION, STOCKWATER, DOMESTIC
VERBREE JR, JACK; VERBREE, MARGARET	36-8079	4/15/1982	0.06		STOCKWATER, COMMERCIAL, DOMESTIC
VERBREE JR, JACK; VERBREE, MARGARET	36-8199	6/15/1983	0.2		STOCKWATER, COMMERCIAL
VICTOR, SALLY; VICTOR, STEVE	36-8128	12/30/1982	0.03		COMMERCIAL
WAHLSTROM, LESLIE; WAHLSTROM, RON	36-8612	10/24/1991	0.03	1	IRRIGATION
WALTERS DAIRY PARTNERSHIP	36-14285*	4/12/1994	0.32	274	IRRIGATION
WARNER, GARALD; WARNER, SARA	37-7679	9/23/1977	0.12	6	IRRIGATION
WARTLUFT, HAROLD; WARTLUFT, LOIS	37-8375	8/11/1988	0.15	3.5	IRRIGATION, DOMESTIC
WATERS, LINDA K; WATERS, TIM H	36-7703	5/10/1977	3.57	198	IRRIGATION
WEBER, JEFF L; WEBER, KERI JO	37-20848	10/6/1977	8.28	634	IRRIGATION
WEBER, JEFF L; WEBER, KERI JO	37-20850*	4/12/1994	0.4	634	IRRIGATION
WENDELL GAS & OIL CO	36-8452	8/22/1989	0.16		COMMERCIAL
WERT, LOREN; WERT, RITA	36-8000	9/11/1981	0.8	40	IRRIGATION

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

Attachment
Water Rights Subject to Curtailment - Snake River Farm Delivery Call

Water Right Owner	Water Right No.	PRIORITY Date	Diversion Rate (cfs)	Acres	Purpose of Use
WEST ONE BANK IDAHO	36-15215*	4/12/1994	1.1	609	IRRIGATION
WHITTAKER, EVERETT L	36-8553	7/9/1990	0.13	4.3	IRRIGATION
WHITTAKER, JAMES A	37-8063	1/6/1983	2	658	IRRIGATION
WIERSEMA, LLOYD	36-8395	9/23/1988	0.11		STOCKWATER, COMMERCIAL
WILCOX, FRANCIS; WILCOX, MARGARET	36-8515	3/2/1990	0.03	1	IRRIGATION
WILD WEST INC	37-21719	3/22/2006	0.11		DOMESTIC
WILDMAN, LINDA; WILDMAN, MAURICE	37-8377	8/19/1988	0.03	1	IRRIGATION
WISE, EARL; WISE, INEZ	36-8638	1/7/1992	0.04	1	IRRIGATION, DOMESTIC
WOOD RIVER RANCH CO INC	36-8312	8/15/1986	0.05		STOCKWATER
YERION, GEORGE A; YERION, SUSAN F	37-20717	4/29/2002	0.1	4	IRRIGATION

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