BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF DISTRIBUTION OF WATER TO WATER RIGHT NOS. 36-02356A, 36-07210, AND 36-07427
(Blue Lakes Delivery Call)

NORTH SNAKE GROUND WATER DISTRICT AND MAGIC VALLEY GROUND WATER DISTRICT
JOINT SUPPLEMENTAL REPLACEMENT WATER PLAN

COMES NOW NORTH SNAKE GROUND WATER DISTRICT and MAGIC VALLEY GROUND WATER DISTRICT (collectively referred to herein as "Ground Water Districts") through counsel and on behalf of their ground water district members and those ground water users who are non-member participants in the Ground Water Districts’ mitigation activities, and hereby provides this Joint Supplemental Replacement Water Plan ("Supplemental Replacement Water Plan") to supplement the North Snake Ground Water District and Magic Valley Ground Water District’s Joint Replacement Water Plan for 2007, filed with the Department on April 9, 2007. These two plans will
be referred to collectively herein as the “Joint Replacement Water Plans for 2007.” This Supplemental Replacement Water Plan is provided in response to the Idaho Department of Water Resources’ June 15, 2007 Orders Curtailing Junior Priority Water Rights (Blue Lakes Delivery Call and Clear Springs, Snake River Farm Delivery Call). These Orders will be referred to herein collectively as the “2007 Curtailment Orders.”

I. Reservation of Defenses.

By submitting this Supplemental Replacement Water Plan the Ground Water Districts do not waive and expressly reserve any and all objections and defenses as set forth in any of their prior filings they may have to the 2007 Curtailment Orders and any previous orders.

II. Supplemental Replacement Water Plan Activity.

This Supplemental Replacement Water Plan and the proposed activities are contingent upon approval of the Joint Replacement Water Plans for 2007, resulting in no curtailment of ground water users for the 2007 calendar year.

The Ground Water Districts propose to provide an additional 10,000 acre-feet of water through the North Side Canal Company delivery system for late season recharge. The Idaho Ground Water Appropriators, Inc. ("IGWA") on behalf of its ground water district members has secured an additional 10,000 acre-feet of water for delivery to the North Side Canal Company’s point of diversion at Milner Dam after North Side Canal Company stops irrigation deliveries this year. Conveyance of this water through North Side Canal Company is being negotiated. This brings the total amount of water to be conveyed to Wilson Lake or other locations for recharge purposes to 20,000 acre-feet. Delivery of this surface water to Wilson Lake will result in recharge to the aquifer from seepage or conveyance loss through the canal itself and seepage from the lake itself.
The water leases that IGWA has entered into for the additional 10,000 acre-feet of water are currently being reviewed and routed for signature. These leases are contingent upon the Director’s approval of the Joint Replacement Water Plans for 2007 resulting in no curtailment of ground water users this calendar year. Once the Department has approved the Joint Replacement Water Plans for 2007, resulting in an Order halting any and all curtailment for this calendar year, IGWA will provide fully executed leases to the Department.

Finally, the Ground Water Districts reserve the right to modify or withdraw this Supplemental Replacement Water Plan.

REQUEST FOR RELIEF

The Ground Water Districts request that the Department approve the Joint Replacement Water Plans for 2007 rendering any curtailment unnecessary.

DATED this 29th day of June, 2007.

RACINE, OLSON, NYE, BUDGE & BAILEY, CHARTERED

By CANDICE M. McHUGH
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21 day of June, 2007, the above and foregoing document was served in the following manner:

David R. Tuthill, Director
Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098
dave.tuthill@idwr.idaho.gov

[X] Hand Delivery
[X] E-Mail

Daniel V. Steenson
Charles L. Honsinger
Ringert Clark
P.O. Box 2773
Boise, Idaho 83701-2773
dvs@ringertclark.com
clh@ringertclark.com

[X] Hand Delivery
[X] E-Mail

Angye Leavitt
North Snake GWD
152 East Main Street
Jerome, Idaho 83338
nsngwd@safelink.net

[X] E-Mail

Emily Haynes
Magic Valley GWD
809 East 1000 North
Rupert, Idaho 83350-9537
emily@nuklean.com

[X] E-Mail

Michael S. Gilmore
Attorney General's Office
P.O. Box 83720
Boise, Idaho 83720-0010
mike.gilmore@ag.idaho.gov

[X] E-Mail

Jeff Fereday
Mike Creamer
Givens Pursley
P.O. Box 2720
Boise, Idaho 83701-2720
jcf@givenspursley.com
mcc@givenspursley.com

[X] E-Mail
Allen Merritt
Cindy Yenter
Watermaster, WD 130
IDWR-Southern Region
1341 Fillmore St, Ste 200
Twin Falls, Idaho 83301-3380
allen.merritt@idwr.idaho.gov
cindy.yenter@idwr.idaho.gov

John Simpson
Barker Rosholt
P.O. Box 2139
Boise, Idaho 83701-2139
jrs@idahowaters.com

U.S. Mail, Postage Prepaid
Facsimile
Overnight Mail
Hand Delivery
E-Mail

Candice M. McHugh