BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF DISTRIBUTION OF WATER TO WATER RIGHTS NOS. 36-04013A, 36-04013B, AND 36-07148 (SNAKE RIVER FARM)

INDIVIDUAL REPLACEMENT WATER PLAN FOR CURTAILED WATER RIGHT NO. 36-16185 (Snake River Farm Delivery Call)

Long View Dairy ("Long View") submits this Individual Replacement Water Plan for 2007 ("Plan") for water right number 36-16185 to the Idaho Department of Water Resources ("IDWR") in response to the Director's June 15, 2007 Order Curtailing Junior Priority Ground Water Rights in the Snake River Farm Delivery Call ("Order"). Long View proposes to take action under this Plan insofar as mitigation for water right number 36-16185 is not sufficiently addressed by any other plan submitted on its behalf by Idaho Dairymen's Association or Idaho Ground Water Appropriators. To that extent, Long View requests that the Director deem this Plan acceptable and exclude water right number 36-16185 from curtailment under the Order.

1 This plan proposes to curtail water from one water right as a replacement for (i.e., to be curtailed instead of) water ordered for curtailment by the Director for 2007. As such, this plan is styled as a "replacement water" plan, although we are unsure if this is the proper term or whether "mitigation plan" or "substitute curtailment" would be more appropriate.
A. **Summary of Individual Replacement Water Plan**

Long View diverts approximately 285 acre-feet ("af") of ground water each year under the water right number 36-16185 (the "Curtailed Water Right"). Long View is entitled to divert approximately 311 af of surface water each year from the North Side Canal Company (the "Mitigating Water Right"). As mitigation for continued use of the Curtailed Water Right in 2007, Long View will voluntarily curtail its use of the Mitigating Water Right for the remainder of 2007.

B. **Curtailed Water Right**

This Plan is only for water right number 36-16185. Water right number 36-16185 entitles Long View to 2.03 cfs of ground water for irrigation of 131 acres. As shown in the North Snake Ground Water District 2006 Water Measurement Annual Report, attached hereto as Exhibit A, Long View pumped 284.96 af of ground water under this water right in 2006. The place of use for this water right is shown on Exhibit B attached hereto.

C. **Mitigating Water Right**

The Mitigating Water Right is owned by North Side Canal Company ("North Side"). Long View owns 69 shares in North Side and uses the water to irrigate 70 acres of pasture on which Long View grazes livestock. Each North Side share entitles Long View to 4.5 af of surface water each year. Accordingly, Long View’s 69 shares entitle it to 310.5 af of surface water from North Side each year.

Long View uses the Mitigating Water Right every year, including this year. The Mitigating Water Right is the only water right used to irrigate the appurtenant 70 acres of pasture. Long View’s voluntary curtailment of the Mitigating Water Right will cause Long View to idle this pasture and find alternative means to feed its livestock. The irrigated acres
idled by Long View by voluntarily curtailing use of the Mitigating Water Right are shown on the map attached hereto as Exhibit B.

The Mitigating Water Right’s place of use is located approximately 1 mile away from the location of the Curtailed Water Right. See Exhibit B.

To the best of Long View’s knowledge and belief, the Mitigating Water Right is deliverable in priority and is not proposed to be curtailed by IDWR curtailment orders; and

To the best of Long View’s knowledge and belief, the Mitigating Water Right is not part of any other current, ongoing mitigation plan, enrolled in CREP, or enrolled in the State Water Supply Bank.

DATED this 29th day of June 2007.

Respectfully submitted,

GIVENS PURSLEY LLP

By

Christopher H. Meyer

By

Michael P. Lawrence
I HEREBY CERTIFY that on this 29th of June 2007, the above and foregoing was served as follows:

ORIGINAL FILED

David R. Tuthill, Jr.  
Idaho Department of Water Resources  
322 East Front Street  
P.O. Box 83720  
Boise, ID 83720-0098  

_x_ U. S. Mail  
_____ Hand Delivered  
_____ Overnight Mail  
_____ Facsimile  
_x_ E-mail

SERVICE

Randall C. Budge  
Candice M. McHugh  
Racine, Olson, Nye, Budge & Bailey  
201 East Center, Suite A2  
P.O. Box 1391  
Pocatello, ID 83204-1391

_x_ U. S. Mail  
_____ Hand Delivered  
_____ Overnight Mail  
_____ Facsimile  
_x_ E-mail

John K. Simpson  
Barker, Rosholt & Simpson, LLP  
1010 W. Jefferson, Suite 102  
P.O. Box 2139  
Boise, ID 83701-2139

_x_ U. S. Mail  
_____ Hand Delivered  
_____ Overnight Mail  
_____ Facsimile  
_x_ E-mail

Larry W. Cope  
Clear Springs Foods, Inc.  
General Office  
1500 East 4424 North  
P.O. Box 712  
Buhl, ID 83316

_x_ U. S. Mail  
_____ Hand Delivered  
_____ Overnight Mail  
_____ Facsimile  
_x_ E-mail

North Snake Ground Water District  
152 E. Main Street  
Jerome, ID 83338

_x_ U. S. Mail  
_____ Hand Delivered  
_____ Overnight Mail  
_____ Facsimile  
_x_ E-mail

Magic Valley Ground Water District  
809 East 1000 North  
Rupert, ID 83350

_x_ U. S. Mail  
_____ Hand Delivered  
_____ Overnight Mail  
_____ Facsimile  
_x_ E-mail
NORTH SNAKE GROUND WATER DISTRICT
2006 Water Measurement Annual Report
This report must be submitted before January 15, 2007 to:
(failure to do so will result in a $50.00 penalty)
North Snake Ground Water District
152 East Main Street
Jerome, ID 83338
Phone: (208) 324-8995  Fax: (208) 324-8033

Owner on record
Legal description
Site Tag #
Well Name
Method of reporting
LONG VIEW DAIRY
38S 16E 29 SESEWSE
A0003462
43
Flow Meter

Current Owner Name and Address
Name
Address
City/State
Phone/cell
Fax
LONG VIEW DAIRY
384 Bob Barley Rd
Jerome, ID 83338
208-324-7904
208-324-2383

Operator Name and Address
Name
Address
City/State
Phone/cell
Fax
Same as current owner

Please provide the following information to help determine annual water usage.

Failure to return by above date will result in a $50.00 penalty.

Physical Address of Well
428 Bob Barley Rd, Jerome

Diversion Name

Idaho Power Account number
0962605668

IP service location number
1575

IP utility meter serial number
92677305

Does this well run in conjunction with surface water? No

Does this well run in conjunction with other wells? No

Crop Corn Number of Acres 1.3

January
February
March
April
May 37562.6
June 3416.8 6-19
July
August 3528.06 8-4
September
October 3648.88
November
December

Month Date Reading

Please list various irrigation system configurations:
2 pivots w/ end gun & corner guns

Signed: [Signature]
Date: 2-5-07

EXHIBIT A
WATER RT NO. 36-16185 PLACE OF USE: SE ¼, SEC. 29, T85, R16E

Long View Dairy

Created: June 29, 2007

Department of Water Resources is maintaining this web site as a public service. Persons using information from this site for official purposes, or other purposes, for which accuracy and completeness are required, are hereby notified that they should first verify the information with the public records or other primary sources from which the information was obtained.

Mitigating Water Rt.
PLACE OF USE:
NE ¼ OF SW ¼ + NW ¼ OF SE ¼
SEC. 33, T85, R16E

Prepared by the ArcGIS Map Server at:

Stake Department of Water Resources
822 Earle Pressler Rd., P.O. Box 10175
Boise, Idaho 83706-10175
Ph: (208) 334-2490
www.idaho.gov/dwr