RECEIVED
JUL 14 2005
DEPARTMENT OF
WATER RESOURCES

Jeffrey C. Fereday (Idaho State Bar # 2719)
Michael C. Creamer (Idaho State Bar # 4030)
GIVENS PURSLEY LLP
601 Bannock Street, Suite 200
P.O. Box 2720
Boise, ID 83701-2720
Telephone: (208) 388-1200
Facsimile: (208) 388-1300

Attorneys for Idaho Ground Water Appropriators, Inc.

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	**IGWA'S REQUEST FOR ADDITIONAL TIME TO SUBMIT JOINT REQUESTS (BLUE LAKES DELIVERY CALL)**

Idaho Ground Water Appropriators, Inc. ("IGWA"), through its counsel Givens Pursley LLP and on behalf of its ground water district member North Snake Ground Water District (the "District"), hereby moves for an order amending the Director's July 6, 2005 *Order Approving IGWA Substitute Curtailment Plan (Blue Lakes Delivery Call)* (the "July 6 Order") to allow the District until July 29, 2005 to comply with the requirement of paragraph 2 at page 9 of the July 6 Order. That paragraph requires the District to submit any request for continued use of ground water on conversion acres to be accompanied by specific detailed information and to be filed by July 15, 2005.

The grounds for this motion are set forth below and in the Affidavit of Angelina M. Leavitt ("Leavitt Affidavit") filed contemporaneously herewith.

The recent Department orders regarding the Blue Lakes delivery call, and others, have imposed significant reporting and documentation requirements on the ground water districts in Water Districts 120 and 130. Because of its substantial ongoing activities to provide replacement water and substitute supplies within the District, Department orders finding that the District's pumpers have replacement water obligations to senior water rights both above and below Milner, and the very short deadlines imposed by these orders for collecting, compiling and submitting detailed information to the Department, the District's resources are significantly strained. While the District can and intends to comply with the orders, including the July 6 Order, it needs more time to do so.

Although the Department has used e-mail to expedite service of orders, including the July 6 Order, it still takes several days to distribute these documents to the District and for them to be reviewed by the District's Board and its one employee, Secretary Angelina Leavitt. Furthermore, where, as here, the orders implicate individual District members, time is needed to provide the information to these members, arrange appointments with them, and obtain necessary additional documentation.

In addition to the above factors, as the Leavitt Affidavit demonstrates, the District currently is compiling its assessment rolls required by statute to be certified to the county assessors to permit continued assessments of its members. The assessment rolls must be submitted by July 19th. Preparation of these assessment rolls currently is requiring essentially all of Ms Leavitt's time.

The July 6 Order requires submission by July 15 of a joint request from the District and each affected member to be accompanied by a detailed explanation of how surface and ground water use on the converted acres will be measured. It requires an expedited schedule for

installation or construction of measuring devices and controlling works. This will require making appointments with the individual District members and developing specifically tailored documentation for each existing conversion project. It also will require consultation and coordination with the Water District 130 Watermaster to confirm that the individual proposals, particularly regarding the proposed means of measurement, are "acceptable to the Watermaster and the Department." July 6 Order at 9. This will reasonably take more time to complete than the few days provided in the July 6 Order. Ms Leavitt believes, however, that this information could be compiled by July 29th. Leavitt Affidavit at 3.

No party would be prejudiced by an extension of time to July 29th for the District to compile and submit this information. This is particularly so where the July 6 Order contemplates that post-season accounting of ground water use on conversion acres will occur.

IGWA respectfully requests that the Director grant an extension to July 29, 2005 to comply with these requirements.

DATED this 14th day of July 2005.

GIVENS PURSLEY LLP

Michael C. Creamer
Jeffrey C. Fereday
Attorneys for Idaho Ground Water Appropriators, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of July 2005, I served a true and correct copy of the foregoing by delivering the same to each of the following individuals by the method indicated below, addressed as follows:

Mr. Karl J. Dreher Director Idaho Department of Water Resources 322 East Front Street P.O. Box 83720 Boise, ID 83720-0098	_____ _____ _____ X _____	U.S. Mail Facsimile Overnight Mail Hand Delivery E-mail
Gregory Kaslo Blue Lakes Trout Farm P.O. Box 1237 Twin Falls, ID 83303-1237	X _____ _____ _____ _____	U.S. Mail Facsimile Overnight Mail Hand Delivery E-mail
Daniel V. Steenson, Esq. Ringert Clark, Chartered 455 S. Third Street P.O. Box 2773 Boise, ID 83701-2773	X _____ _____ _____ _____	U.S. Mail Facsimile Overnight Mail Hand Delivery E-mail
Roger D. Ling, Esq. Ling, Robinson & Walker 615 H St. P.O. Box 396 Rupert, ID 83350-0396	X _____ _____ _____ _____	U.S. Mail Facsimile Overnight Mail Hand Delivery E-mail
Michael S. Gilmore, Esq. Deputy Attorney General Civil Litigation Division Office of the Attorney General Len B. Jordan Bldg., Lower Level P.O. Box 83720 Boise, ID 83720-0010	X _____ _____ _____ _____	U.S. Mail Facsimile Overnight Mail Hand Delivery E-mail
James C. Tucker, Esq. Idaho Power Company 1221 West Idaho P.O. Box 70 Boise, ID 83707	X _____ _____ _____ _____	U.S. Mail Facsimile Overnight Mail Hand Delivery E-mail

James S. Lochhead, Esq. Adam T. Devoe, Esq. Brownstein Hyatt & Farber, P.C. 410 17th Street Twenty-Second Floor Denver, CO 80202	__X__ U.S. Mail _____ Facsimile _____ Overnight Mail _____ Hand Delivery _____ E-mail
Cindy Yenter Watermaster – Water District 130 Idaho Department of Water Resources Southern Regional Office 1341 Fillmore Street, Suite 200 Twin Falls, ID 83301-3380	__X__ U.S. Mail _____ Facsimile _____ Overnight Mail _____ Hand Delivery _____ E-mail
Frank Erwin Watermaster – Water District 36 2628 South 975 East Hagerman, ID 83332	__X__ U.S. Mail _____ Facsimile _____ Overnight Mail _____ Hand Delivery _____ E-mail

Michael C. Creamer
Jeffrey C. Fereday