

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF THE NORTH SNAKE)	
AND MAGIC VALLEY GROUND WATER)	CM-MP-2009-001
IRRIGATION DISTRICTS' 2009 JOINT)	
MITIGATION PLAN TO COMPENSATE)	
BLUE LAKES TROUT FARM, INC.)	
_____)	
IN THE MATTER OF THE A&B IRRIGATION)	
DISTRICT'S 2009 MITIGATION PLAN TO)	CM-MP-2009-002
COMPENSATE BLUE LAKES TROUT)	
FARM, INC.)	
_____)	
IN THE MATTER OF SOUTHWEST AND)	
GOOSECREEK IRRIGATION DISTRICT)	CM-MP-2009-003
MITIGATION PLAN)	
)	
)	NOTICE OF STATUS
(Water Right Nos. 36-02356a, 36-07210,)	CONFERENCE
and 36-07427))	
_____)	

On February 1, 2010, the Department of Water Resources (“Director” or “Department”) received a *Stipulation and Joint Motion for Approval of A&B Irrigation District’s Rule 43 Mitigation Plan* (“Joint Stipulation”). The mitigation plan submitted by A&B Irrigation District (“A&B”) was protested by the Unit A Association (“Unit A”), Blue Lakes Trout Co., LLC (“Blue Lakes”), the North Snake and Magic Valley Ground Water Districts (“Ground Water Users”), and the City of Pocatello (“Pocatello”). The Stipulation was signed by counsel for A&B and Blue Lakes. Expedited consideration was requested.

Also on February 1, 2010, the Department received Unit A’s *Motion to Strike and/or Motion in Limine Re: Testimony of Dr. Charles E. Brockway* (“Motion to Strike”). Oral argument was requested by Unit A.

On February 3, 2010, Unit A filed its *Opposition to Stipulation and Joint Motion for Approval of A&B Irrigation District’s Rule 43 Mitigation Plan* (“Opposition”). Regarding the Joint Stipulation, the Department has not heard from the Ground Water Users or Pocatello.

On February 11, 2010, the parties shall appear either in person or by telephone, before the Director, at the Department at 10:30 a.m. for a status conference in the Director's conference room. If participating by telephone, please dial 713-577-1201 and provide participant code 260503. The parties must be prepared to address the Joint Stipulation, Unit A's Opposition, and Unit A's Motion to Strike. The parties should also be prepared to discuss the status of the mitigation plans filed by the Ground Water Users and Southwest and Goosecreek Irrigation District.

Dated this 4th day of February, 2010.



GARY SPACKMAN
Interim Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of February 2010, 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:

Randall C. Budge RACINE OLSON P.O. Box 1391 Pocatello, ID 83204-1391 rcb@racinelaw.net	<input type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email
Candice M. McHugh RACINE OLSON 101 S Capitol Suite 208 Boise, ID 83702 cmm@racinelaw.net	<input type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email
Daniel V. Steenson Charles L. Honsinger S. Bryce Farris RINGERT LAW CHARTERED P.O. Box 2773 Boise, ID 83701-2773 dvs@ringertclark.com clh@ringertclark.com sbf@ringertclark.com	<input type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email
John K. Simpson BARKER RÖSHOLT & SIMPSON, LLP 1010 West Jefferson, Ste. 102 PO Box 2139 Boise, ID 83701-2139 jks@idahowaters.com	<input type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email
Sarah A. Klahn WHITE & JANKOWSKI 511 Sixteenth Street, Suite 500 Denver, CO 80202 sarahk@white-jankowski.com	<input type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email

<p>Robert A. Maynard Erika E. Malmen PERKINS COIE, LLP 1111 West Jefferson Street, Suite 500 Boise, ID 83702-5391 rmaynard@perkinscoie.com emalmen@perkinscoie.com</p>	<p><input type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email</p>
<p>Travis L. Thompson Paul L. Arrington Sarah W. Higer BARKER ROSSHOLT & SIMPSON, LLP 113 Main Avenue West, Suite 303 PO Box 485 Twin Falls, ID 83303-0485 tlt@idahowaters.com pla@idahowaters.com swh@idahowaters.com</p>	<p><input type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email</p>
<p>William Parsons PARSONS SMITH & STONE 137 West 13th Street Burley, ID 83318 wparsons@pmt.org</p>	<p><input type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email</p>



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