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DEPARTMENT OF  
WATER RESOURCES

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DEPARTMENT OF  
WATER RESOURCES

**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)

(Clear Springs, Snake River Farm Delivery  
Call)

IN THE MATTER OF DISTRIBUTION OF  
WATER TO WATER RIGHTS NOS. 36-  
02356A, 36-07210, AND 36-07427

(Blue Lakes Delivery Call)

**PETITION FOR RECONSIDERATION OF  
ORDER APPROVING DAIRYMEN'S AND  
IGWA'S 2007 REPLACEMENT WATER  
PLANS, RESCINDING 2007  
CURTAILMENT, AND SETTING  
HEARING AND PREHEARING SCHEDULE**

The Idaho Dairymen's Association (the "Dairymen") through their attorneys Givens Pursley LLP, and pursuant to Department Rule of Procedure 770, IDAPA 37.01.01.770, hereby petitions for clarification and reconsideration of the Department's July 5, 2007 Orders ("July 5 Orders") in the above-captioned delivery call matters. The grounds for this Petition are that both of the July 5 Orders appear to misapprehend the nature and extent of mitigation proposed by the

Dairymen and contemplated by the parties to the Mitigation Agreement (“Agreement”) submitted for the Department’s approval on April 13, 2007. The July 5 Orders also mischaracterize the Dairymen’s commitments under the Agreement and do not appear to incorporate the mitigation obligations or contributions of ground water users other than the Dairymen and Idaho Ground Water Appropriators, Inc.’s (“IGWA”) in analyzing the sufficiency of mitigation for 2007. Consequently, the Order purports to require from the Dairymen replacement water in 2007 that will exceed their mitigation obligation under existing law and the Agreement.

Also, clarification is requested to confirm whether, and to what extent, the mitigation obligations of other ground water users (i.e., non-ground water district members such as certain commercial, industrial and municipal water users, and domestic well owners who, under the holding of both the District Court and the Idaho Supreme Court in *AFRD No. 2 v. IDWR*, are subject to conjunctive administration) are incorporated into the total mitigation/replacement water supply for 2007 so as not to impose a disproportionate obligation on the Dairymen.

A hearing on the above issues is requested.

## I. BACKGROUND

### A. The Mitigation Agreement.

In April of this year, following extended negotiations, the Dairymen, members of the Surface Water Coalition (“SWC”), Clear Springs Foods and the Thousand Springs Water Users Association (“TSWUA”) executed the Mitigation Agreement, by which the Dairymen proposed to: 1) offset the aggregate annual depletion to the ESPA; 2) attributable to ground water diversions under commercial livestock water rights; 3) held by those of the Dairymen’s members who elected to participate in the Agreement; 4) on the basis of 29.1 gallons per mature dairy cow per day (10,621.5 gallons per year).

Under the Agreement, the offset of the participating Dairymen members' aggregate annual depletion is to be provided by use of Mitigation Acres/Mitigation Water Rights (dry-up) or replacement water obtained through the WD 01 rental pool and/or North Side Canal Company. In any case, the quantity of dry-up or replacement water to be provided is directly related to the number of mature cows held by each of the *participating* Dairymen members, not the number of mature cows held by *all* of the Dairymen's members. The potential that under the Agreement the Dairymen would mitigate for depletions attributable to all dairy cows on the ESPA at a rate of 29.1 gpd (i.e., where all of the Dairymen's members elected to participate) gives rise to a potential total mitigation obligation approaching 9,500 acre-feet. Under the Agreement, the Dairymen represented it would *recommend* participation in the Agreement by each of its members located on the ESPA, not that all members would participate which could require mitigation at a 9,000+ acre-foot per year level.

B. The Department's June 15 Curtailment Orders.

On June 15, 2007, the Department issued Curtailment Orders in the above-captioned delivery calls ("June 15 Orders"). Both of the June 15 Orders apply to specific ground water rights with specific priority dates within a delineated curtailment area. Neither of the June 15 Orders purported to require curtailment of ground water use by, or mitigation from, Dairymen members whose facilities, water rights and points of diversion were outside the curtailment areas.

The Orders also conditionally approved the Agreement and stated that Dairymen members who signed the Agreement by July 6, 2007 would not be subject to curtailment unless the Director determined that the mitigation actions proposed by the Agreement were insufficient

to mitigate for the participating Dairymen members' depletions to the ESPA in the third year of a five-year phased-in substitute curtailment period.

C. Participating Dairymen.

On July 3, 2007 the Dairymen provided the Department with additional requested information concerning the basis for the 29.1 gpd depletion quantity used in the Agreement, together with a Statement of Participation listing Dairymen member signators who had indicated their intent to be participating members under the Agreement. This list was supplemented on July 6<sup>th</sup>. Their understanding, and commitment, in signing the Statement of Participation was to participate in the Agreement in 2007 by way of funding the acquisition of replacement water to offset depletions to the ESPA attributable to their individual dairy operations at the 29.1 gpd per mature cow rate contained in the Agreement.

Also on July 3<sup>rd</sup>, Jack Davis, as the Dairymen's president, notified the Department that he was electing participation in the Agreement on behalf of those Dairymen members who held junior rights in the curtailment areas subject to the Curtailment Orders that had not been able to sign the Statement of Participation. Mr. Davis's letter stated, among other things, that provided the Mitigation Agreement is approved by the Department as required by the Agreement's terms, IDA's intent is to obtain sufficient water in 2007 to satisfy the requirements of the Agreement with respect to these members' rights for 2007.

D. The July 5 Orders

The July 5 Orders incorporate additional information provided to the Department by IGWA and the Dairymen subsequent to the June 15 Orders. These orders acknowledge that IGWA has proposed to provide a total of 20,000 acre-feet of water for recharge purposes in 2007 (Finding of Fact 3) and find that the Dairymen have "pledged 9,500 acre-feet of water to be run

through the North Side Canal and associated laterals for purposes of recharge after irrigation of lands serviced by the North Side Canal is complete.” Finding of Fact 4. The orders do not acknowledge the mitigation proposals submitted by the Cities of Paul, Jerome, Shoshone, Wendell and Heyburn. These orders then conclude that “based on acceptance of [the Dairymen’s] pledge for 9,500 acre-feet of water to be used for recharge purposes in 2007 and IGWA’s Replacement Plan and Supplemental Plan for 2007, the Director should rescind [the June 15 Orders]. Conclusion of Law 18.

## II. DISCUSSION

### A. The Dairymen have not “pledged” to provide 9,500 acre-feet of water for 2007 mitigation.

The Dairymen have proposed to provide mitigation for 2007 at the level described in the Agreement. Under the Agreement, that level is determined by multiplying the number of mature dairy cows held by participating Dairymen members by 29.1 gpd. Until the Dairymen had obtained signatures indicating member intent to be participating members, the total number of mature dairy cows implicated under the Agreement, and hence the quantity of water to be provided, could not be determined.

Based on Idaho State Department of Agriculture data for 2007, the Dairymen’s member who received curtailment notices hold 122,505 mature dairy cows. The Dairymen’s president, Jack Davis, has effectively elected participation for all of these members at the 29.1 gpd level by his July 3 letter to the Department. This will require 3,993.20 acre-feet of replacement water to be provided under the Agreement for 2007. Based on the *total* signatures obtained by the Dairymen as of July 6<sup>th</sup> (i.e., including members who did not receive a curtailment notice) and Idaho State Department Agriculture 2007 data, the total number of mature dairy cows implicated

by the signed Statements of Participation is 174,310.<sup>1</sup> At 29.1 gpd, this would equate to a total aggregate depletion (and 2007 replacement water requirement) of 5,681.85 acre-feet. The Dairymen presume that provided the gpd depletion quantity remains at 29.1 for 2007, all those members who have signed the Statement of Participation will continue to participate and the Dairymen would acquire and distribute the approximately 5,682 acre-feet as provided by the Agreement in 2007. However, to the extent that the Department determines the depletion per mature dairy cow should be higher than 29.1 for 2007, the Dairymen cannot represent that all those who have signed the Statement of Participation, particularly those who did not receive a curtailment notice, would participate this year.

To the extent the July 5 Orders conclude that the Dairymen's proposed mitigation is a pledge of 9,500 acre-feet of water in 2007, they mischaracterize the terms of the Agreement and the Statement of Participation submitted to the Department, and they should be modified accordingly.

- B. The July 5 Orders do not account for mitigation proposed to be provided by the mitigating Cities or the lack of mitigation from ground water users who are neither Dairymen, ground water district members or mitigating Cities.

The July 5 Orders contain detailed analysis of the IGWA and Dairymen mitigation proposals, but do not address whether, or to what extent the Dairymen are, individually or collectively, being called on to provide mitigation for persons or entities who are not participating in or contributing to mitigation efforts but that are subject to curtailment orders. As written, these orders do not eliminate the concern that the level of mitigation that might be required of the Dairymen by the Department (i.e., 9,500 acre feet) is potentially providing gratis mitigation for persons or entities that are subject to priority administration, including all uses

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<sup>1</sup> See spreadsheet attached as Exhibit A.

recognized as such by the recent *AFRD No. 2 v. IDWR* decision who are not providing their own mitigation together through ground water membership or otherwise. The July 5 Orders should be clarified to confirm that this is not, and will not be, the case.

### REQUEST FOR HEARING

To the extent the above requests for reconsideration and for clarification are not granted in their entirety, the Dairymen request a hearing on these issues.

Respectfully submitted this 19<sup>th</sup> day of July, 2007.

GIVENS PURSLEY LLP



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*Attorneys for  
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CERTIFICATE OF SERVICE

I hereby certify that on this 17 day of July 2007, I served a true and correct copy of the foregoing by delivering it to the following individuals by the method indicated below, addressed as stated.

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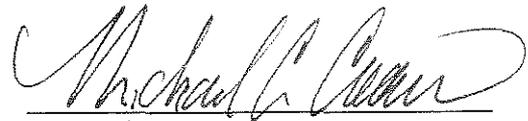
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REPE	owner	lat	lon	2007 cows	Modeled cell	Corrected cell	Volume [29.1/cow]	Received Curtailment Revised 7/17/07 cow #	2007 Participant sign up	Wmis ID	lat	lon	2001 Diversion	2002 Diversion	2003 Diversion	2004 Diversion	2005 Diversion
DY16470564	AARDEMA DAIRY #5	42.67966	-114.66112	3000	SP053018		98	3200	3200								
DY16530560	AARDEMA DAIRY #6	42.82664	-114.45969	2400	SP049032	SP049032	78	2200	2200	A0004700	42° 49' 36.95" N	114° 27' 54.19" W	21	62	100	111	185
DY16470565	AARDEMA JERSEY	42.68266	-114.65797	1850	SP053018		60	1620	1620								
DY16310988	ACME DAIRY	42.25180	-113.92420	3000	SP098035		98										
DY16530554	AGUEDA, JOE & SANDRA	42.78320	-114.45558	800	SP052030		26										
DY16310388	ANDERSEN DAIRY INC.	42.55500	-113.54722	1250	SP090062		41										
DY16530515	ANDERSON BROS.	42.66875	-114.57852	550	SP056020		18	?	?								
DY16190338	ANDERSON, LELA	43.62511	-112.07745	5	SP064163		0										
DY16110183	ANDERSON, WINFIELD	43.19805	-112.46711	80	SP080131		3										
DY16530496	ANDERSON DAIRY	42.67310	-114.45768	1005	SP059026		33										
DY16430237	ANGEL, MAX	43.96906	-111.62717	65	SP055195		2										
DY16310453	ANTELOPE HILLS INC	42.41678	-113.72677	1050	SP093049		34										
DY16470608	ARRIAGA, RICK & BRETT	42.83920	-114.83941	100	SP039016		3										
DY16630325	ASTLE, SEM	42.88422	-114.25622	320	SP052043		10	?	?								
DY16470577	AZORES DAIRY	43.00000	-112.00000	280	SP049016		9										
DY16670433	B & B DAIRY LLC	42.73394	-113.63660	960	SP077064		31		990								
DY16530514	BAAR, THEODORE	42.67253	-114.57401	798	SP055021		26	800	800								
DY16470672	BALLARD FAMILY DAIRY	42.94766	-114.67043	100	SP037027		3										
DY16670415	BASELINE FARMS	42.61834	-113.61667	137	SP064061		4										
DY16510262	BAZIL, JAMES	43.70093	-111.84150	60	SP065176		2										
DY16470995	BETTENCOURT DAIRY #1	43.78350	-114.63370	5000	SP048023		163	1100	1100								
DY16530529	BETTENCOURT DAIRY #2	42.73146	-114.59871	1080	SP051022		35	1080	1080								
DY16471011	BETTENCOURT DAIRY#1 BARN#2	42.78770	-114.63560	5000	SP047023		163	1100	1100								
DY16530556	BETTENCOURT DAIRY#3	42.80560	-114.55888	4300	SP048027		140	4300	4300								
DY16530530	BETTENCOURT DAIRY#4	42.73428	-114.59307	2200	SP051023		72	2200	2200								
DY16471070	BETTENCOURT DAIRY#5 BARN#3	43.00000	-112.00000	4000	SP052021		130	3000	3000								
DY16471004	BETTENCOURT DAIRY#6	42.73020	-114.61830	3000	SP051021		98	3200	3200								
DY16530551	BETTENCOURT DAIRY#8	42.78312	-114.53311	1000	SP050027		33	940	940								
DY16530993	BIG SKY EAST #2	42.78025	-114.55399	1150	SP050026		37		1150								
DY16470657	BIG SKY NORTH	42.84871	-114.76092	3000	SP040020		98		3150								
DY16471024	BIG SKY WEST	42.85000	-114.78420	6000	SP039019	SP039018	196		4500	D0008684	42° 51' 02.13" N	114° 47' 29.43" W	192	193	142	187	228
DY16510268	BILLMAN, HARVEY & CHAD	43.64045	-111.95835	100	SP066169		3										
DY16670431	BINGHAM, BOYD	42.75911	-113.66926	65	SP074064		2										
DY16670400	BINGHAM, KERRY	42.69614	-113.72944	65	SP077059		2										
DY16110182	BINGHAM, KURT	43.21240	-112.48245	40	SP078131		1										
DY16430238	BISCHOFF DAIRY	43.94068	-111.61851	100	SP057194		3										
DY16430235	BLANCHARD, KIRT	43.99239	-111.57835	90	SP054197		3										
DY16470651	BLISSFUL DAIRY LLC	42.85563	-114.73932	450	SP040021		15										
DY16530538	BLOM, JACOB & GAYLA	42.74508	-114.51940	225	SP053026		7										
DY16110184	BOE-CAE DAIRY	43.17012	-112.37351	95	SP084134		3										
DY16470566	BOER DAIRY	42.69713	-114.61816	1300	SP053020		42	1400	1400								
DY16471061	BOER DAIRY LLC	43.00000	-112.00000	2000	SP051016		65	3100	3100								
DY16470604	BOKMA, HARRY	42.80016	-114.84576	750	SP041014		24	850	850								
DY16630305	BOOT JACK II DAIRY INC.	43.00970	-114.39675	630	SP040041		21	720	720								
DY16530553	BORBA, JOE	42.78297	-114.47982	350	SP052029		11										
DY16470656	BOSMA, JACOB & HENRY	42.96272	-115.01779	1100	SP027013		36		1125								
DY16310451	BOWEN DAIRY	42.48981	-113.70055	118	SP089053		4										
DY16470983	BOX CANYON #3	42.70973	-114.75237	890	SP049015		29										
DY16470588	BOX CANYON DAIRY	42.69768	-114.76635	1400	SP049014		46										
DY16470589	BOX CANYON DAIRY #4	42.70846	-114.77564	850	SP048014		28										
DY16470586	BOX CANYON DAIRY #5	42.69394	-114.77340	900	SP049013		29										
DY16470587	BOX CANYON DAIRY 1A	42.69753	-114.76940	2200	SP049014		72	2400	2400								
DY16510343	BOYCE DAIRY	43.69107	-112.04123	30	SP061167		1										
DY16670416	BRADSHAW DAIRY	42.66417	-113.67905	115	SP080060		4										
DY16470640	BRANDSMA DAIRY	42.74070	-114.64389	500	SP050021		16										
DY16630312	BRAUN, BILL	43.02381	-114.53617	150	SP036036		5										
DY16630316	BRAUN, RONALD	43.03442	-114.55314	340	SP035035		11										
DY16190279	BRIGHTON, WILLIAM J.	43.58892	-111.87102	60	SP071171		2										
DY16510272	BROWN, WAYNE	43.66881	-111.99404	180	SP063168		6										
DY16470663	BRYANT, KENNY B.	42.74066	-114.63199	300	SP037025		10										
DY16470641	BUSMAN DAIRY	42.92826	-114.68948	950	SP050021		31		865								
DY16650253	BUTTE VU FARMS	43.81018	-111.89849	45	SP057177		1										
DY16530519	IC BAR M DAIRY	42.68834	-114.61232	1300	SP054020		42		1300								

REPE	owner	lat	lon	2007 cows	Modeled cell	Corrected cell	Volume (28.1cow)	Curtailed Revised 7/17/07 cow #	2007 Participant sign up	Wmis ID	lat	lon	2001 Diversion	2002 Diversion	2003 Diversion	2004 Diversion	2005 Diversion
DY16230338	CALLISTER DAIRY L.L.P.	43.82877	-112.98517	250	SP029131		8										
DY16110211	CALLISTER, LOVELL J. & REX	43.28240	-112.36609	220	SP076138		7										
DY16190281	CAMPBELL, STEVEN L	43.57585	-111.90208	50	SP071169		2										
DY16110201	CANNON-SHELLEY PROPERTY LLC	43.40569	-112.13463	2200	SP076153		72										
DY16670423	CANTRELL, TRAVIS	42.69277	-113.53960	170	SP082067		6										
DY16470563	CANTONSIDE DAIRY	42.65961	-114.61849	1000	SP055019		33	1150									
DY16310454	CARSON DAIRY	42.48871	-113.72845	70	SP090051		28										
DY16110194	CEDAR ARCH DAIRY	43.28395	-112.15737	650	SP082148		28										
DY16110176	CHRISTENSEN, BOYDFARM LLC	43.22549	-112.60669	30	SP074126	SP044017	33		1000	A0001222	42° 47' 00.08" N	114° 45' 47.67" W	83	36	70	57	62
DY16470667	CLARKSON, JOHN	42.78387	-114.76215	1000	SP044017		33										
DY16190337	CLAYSON EAST RIVER DAIRY	42.94371	-114.63689	140	SP039028		5										
DY16631021	CLEAR VIEW DAIRY	43.59512	-112.04366	90	SP067164		3										
DY16190278	COLES, GARY	42.73470	-114.41750	970	SP056030		32										
DY16110212	CORNELISON DAIRY	43.61176	-111.85349	30	SP070172		1										
DY16630925	COUNTY LINE DAIRY	43.27521	-112.28491	40	SP080142		13										
DY16630314	CRAWFORD, CLAY	42.70843	-114.61286	400	SP052021		3										
DY16510273	CRYSTAL SPRINGS DAIRY	43.03577	-114.53548	84	SP035036		3										
DY16110177	DAN-DE HOLSTEINS	43.68341	-111.97276	80	SP063170		3										
DY16310444	DARRINGTON DAIRY	43.22024	-112.61359	230	SP074126		7	230									
DY16310443	DARRINGTON, DALE	42.46633	-113.64528	240	SP092054		8										
DY16310390	DAVIS DAIRY	42.49336	-113.60908	80	SP092057		3										
DY16630294	DEEDS, LARRY	42.50174	-113.76006	150	SP087050		5										
DY16470630	DEELSTRA DAIRY	43.08275	-114.15635	30	SP042054		1										
DY16630518	DEGROOT DAIRY	42.75257	-114.72619	800	SP047017		26		1000								
DY16630516	DEKRUYF DAIRY	42.67433	-114.61330	600	SP054020		20										
DY16391076	DEKRUYF DAIRY #3	42.67858	-114.58240	1400	SP055021		46										
DY16631005	DEVPRIES, WIETZE	43.00000	-112.00000	1400	SP035021		46										
DY16470572	DEWIT DAIRY	42.86400	-114.17940	900	SP067038		26		730								
DY16470573	DEWIT DAIRY #1	42.69388	-114.68924	600	SP051017		18		700								
DY16470574	DEWIT DAIRY #2	42.69423	-114.69669	900	SP051017		29		1050								
DY16110199	DIAMOND 3 DAIRY	42.70290	-114.69667	1448	SP051017		47		1400								
DY16470639	DIAMOND B DAIRY	43.34133	-112.14835	720	SP078150		23		700								
DY16630469	DIAMOND J DAIRY LLC	42.73341	-114.65606	875	SP050020		29		860								
DY16110166	DIAMOND Y FARMS	42.56343	-114.14517	180	SP073036		6										
DY16470629	DINIS DAIRY #2	43.19706	-112.28939	140	SP084139		5										
DY16470626	DINIS, MANUEL	42.78203	-114.73058	300	SP045019		10										
DY16630321	DONLEY FARMS	42.79895	-114.73058	600	SP044019		20		450								
		42.93687	-114.32553	650	SP046042		21			D0008706							
DY16631026	DOUBLE A DAIRY	42.85528	-114.47306	6000	SP047032	SP048032	196			D0008705	42° 51' 16.31" N	114° 28' 20.60" W	172	254	264	87	205
DY16631028	DOUBLE A DAIRY	42.85528	-114.47306	2600	SP047032	SP048032	81			D0008704	42° 51' 16.31" N	114° 28' 20.60" W	70	24	108	167	361
DY16470592	DOUBLE B #1 LLC	42.70352	-114.74208	2400	SP049015		78		2400								
DY16470581	DOUBLE B #2	42.70296	-114.74208	300	SP049015		10		450								
DY16470578	DOUBLE B #3	42.71814	-114.72828	200	SP049015		7		200								
DY16630524	DOUBLE H DAIRY	42.70835	-114.59385	1000	SP035022	SP053022	33		200								
DY16470600	DOUBLE V DAIRY #1	42.75207	-114.77353	300	SP045015		10		3450	A0004660	42° 42' 30.03" N	114° 35' 45.71" W	42		81	81	79
DY16471016	DOUBLE V DAIRY #2	42.75530	-114.72300	500	SP045015		18		650								
DY16310387	EAST FRIDGE MILK	42.74085	-113.54861	2800	SP068063		91		660								
DY16470638	EMERY, BILL	42.74085	-114.66105	31	SP049020		2										
DY16610358	ENGBERSON BROS DAIRY	43.95285	-112.57428	600	SP032153		20										
DY16470583	FATTIG, WAYNE	42.69680	-114.65136	50	SP052019		2										
DY16670414	FLEMING DAIRY	43.00000	-112.00000	250	SP050014		6										
DY16670414	FORGEON, VICTOR	42.60339	-113.63801	75	SP064059		2										
DY16630307	FOUR BROTHERS DAIRY #3	43.00980	-114.45239	1800	SP039039		59		2800								
DY16631072	FOUR BROTHERS DAIRY #4	43.00000	-112.00000	1500	SP039039		49		1000								
DY16630308	FOUR BROTHERS DAIRY INC.	43.00423	-114.45473	1600	SP039038		52		1600								
DY16670430	FURNISS, BUD M.	42.77718	-113.55751	1750	SP047017		57		1600								
DY16470631	G & H DAIRY	42.74028	-114.73411	300	SP081125		7										
DY16110166	GENTILLON #2	43.13970	-112.56380	220	SP081125		10										
DY16110167	GENTILLON, RONALD	43.14518	-112.56380	300	SP081126		7										
DY16630650	GERMAN DAIRY	42.78340	-114.54626	500	SP050026		16		650								
DY16470652	GERRATT DAIRY	42.87786	-114.76042	1400	SP038021		46		1600								

REPE	owner	lat	lon	2007 cows	Modeled cell	Corrected cell	Volume [29.1/cow]	Received Curtailment Revised 7/17/07 cow #	2007 Participant sign up	Wmis ID	lat	lon	2001 Diversion	2002 Diversion	2003 Diversion	2004 Diversion	2005 Diversion	
DY16531015	GILTNER DAIRY LLC	42.70870	-114.43080	2200	SP057029	SP057029	72	2200	2200	D0008551 D0008552	42° 42' 31.06" N	114° 25' 51.06" W	125	136	132	135	156	
DY16310391	GOCHNOUR FARMS	43.00000	-112.00000	50	SP084048		2											
DY16311062	GOLDEN VALLEY DAIRY LLC#1	43.00000	-112.00000	5000	SP087033		163		4800									
DY16311062	GOLDEN VALLEY DAIRY LLC#1	43.00000	-112.00000	3000	SP087033		98		3000									
DY16311063	GOLDEN VALLEY DAIRY LLC #3	43.00000	-112.00000	2400	SP083031		78		2400									
DY16311063	GOLDEN VALLEY DAIRY LLC #3	43.00000	-112.00000	1200	SP083031		39											
DY16530533	GRAHAM, CAROLINE	42.74165	-114.57862	80	SP051023		3											
DY16110174	GREGERSEN, E.L.	43.23957	-112.60798	100	SP073127		3											
DY16530497	GULICK DAIRY	42.67197	-114.46524	200	SP058026		7	300	300									
DY16670402	HADERLIE, MAX	42.64652	-113.81185	80	SP077053		3											
DY16510348	HALL DAIRY #2	43.85081	-112.30703	700	SP044161		23											
DY16510349	HALL DAIRY LLC	43.85103	-112.31962	1300	SP045161		42											
DY16670417	HALVERSON, DON	42.67267	-113.66986	50	SP080060		2											
DY16310392	HANKS SUNRISE DAIRY LLC	42.51743	-113.85397	50	SP084047		2											
DY16670434	HANSEN'S QUALITY JERSEYS	42.71957	-113.61709	600	SP078064		20											
DY16110210	HARRIS, NILES	43.25540	-112.35338	200	SP079138		7											
DY16110185	HATCH, BRENT & DAVID	43.19667	-112.28418	70	SP084139		2											
DY16470679	HATFIELD DAIRY	43.01189	-114.73696	200	SP031027		7											
DY16310464	HEWARD BROTHERS DAIRY	42.49012	-113.74112	180	SP058051		6											
DY16310457	HEWARD DAIRY	42.47233	-113.74120	70	SP089050		2											
DY16630320	HIDDEN VALLEY DAIRY	42.77438	-113.99138	281	SP065050		9											
DY16630316	HI-LINE FARMS	43.04055	-114.56751	232	SP034035		8											
DY16430242	HILLCREST RANCH	43.93927	-111.71844	70	SP054190		2											
DY16470591	HILLTOP DAIRY	42.72023	-114.79348	1180	SP047013		38											
DY16470619	HILT DAIRY	42.78420	-114.76678	500	SP038021	SP038021	16	495	495	A0004872	42° 53' 08.22" N	114° 45' 08.51" W	43	33	35	35	36	
DY16530490	HORIZON ORGANIC DAIRY	42.64789	-114.00228	4500	SP072045	SP072045	147	5400	5400	A0001235	42° 38' 56.76" N	114° 00' 44.35" W	558	134	534	566	571	
DY16670421	HRUZA DAIRY	42.66269	-113.57156	100	SP082065		3											
DY16630328	HUBERT, DEVAN	42.85238	-114.28456	470	SP053040		15											
DY16630301	HUBSMITH, ROD	43.04092	-114.23024	150	SP043049		5											
DY16530491	HULME, RON	42.66455	-114.12396	1100	SP068041		36											
DY16310445	HURST DAIRY	42.46003	-113.64995	83	SP093054		3											
DY16470632	HURTADO DAIRY	42.73449	-114.72989	3300	SP048017	SP048017	108	2800	2800	A0004665 A0004666	42° 44' 02.85" N	114° 43' 53.00" W	370	368	72	304	212	
DY16310463	IDA GOLD DAIRY	42.48594	-113.75617	1560	SP088050		51											
DY16310462	IDA GOLD DAIRY #2	42.48754	-113.74916	500	SP088050		16											
DY16670427	IDAHO ACRES DAIRY	42.74060	-113.52897	200	SP079069		7											
DY16530495	IDALEE DAIRY	42.67233	-114.44488	190	SP059027		6		0									
DY16530539	J & L DAIRY	42.75149	-114.52088	500	SP052026		16											
DY16470597	JACOBSON, DOUGLAS	42.73766	-114.78788	53	SP046014		2											
DY16310448	JERSEY VIEW DAIRY	42.47306	-113.67688	200	SP091053		7											
DY16670404	JERSEYLAND DAIRY LLC	42.57465	-113.81529	400	SP081051		13											
DY16470960	JOHNSON, BEN	42.98807	-114.74280	115	SP032025		4											
DY16630285	JOHNSTON, BILL	43.14279	-114.19488	40	SP038055		1											
DY16630296	JONES, MARVIN	43.06784	-114.12717	100	SP044055		3											
DY16630310	JONES, WALDO	43.00450	-114.51719	37	SP038036		1											
DY16510276	JR HALL FARMS	43.74867	-111.92433	800	SP060174		26											
DY16310465	K & G INC.	42.48696	-113.73390	730	SP089051		24											
DY16510351	K & K FARM-SHULDBERG	43.83984	-112.38589	150	SP043157		5											
DY16530508	K & W DAIRY	42.66770	-114.55430	1275	SP056022		42	1475	1475									
DY16531066	KETTLE BUTTE DAIRY	43.00000	-112.00000	3000	SP059155		98											
DY16630286	KOONTZ, ROGER	43.14234	-114.18285	40	SP038055		1											
DY16261059	KORN DAIRY	43.00000	-112.00000	92	SP041156		3											
DY16630991	KVT HOLSTEINS	42.89370	-114.23610	90	SP052044		3											
DY16470648	L & B DAIRY	42.77400	-114.65420	860	SP047021		28											
DY16310460	LARSON, CHARLES	42.49142	-113.76606	70	SP088050		2											
DY16470574	LAWTON DAIRY	42.69974	-114.69576	120	SP051017		4											
DY16110178	LAZY Y CROSS LAND & LIVESTOCK	43.29231	-112.51441	200	SP073133		7											
DY16110144	LEHMAN FARMS	42.90795	-112.87145	100	SP086104		3											
DY16670411	LINDAUER, JOHN	42.58053	-113.66520	65	SP085057		2											
DY16530521	LONGVIEW DAIRY	42.69415	-114.59329	1400	SP054021	SP054021	46	1400	1400	A0002870	42° 41' 41.18" N	114° 35' 40.70" W	132	105	59	111	90	
DY16630313	LOPES SR, DAIRY	43.02591	-114.52385	600	SP038036		20	600	600									
DY16430239	LOVELAND, MIKE	43.98185	-111.64727	100	SP053194		3											

REPE	owner	lat	lon	2007 cows	Modeled cell	Corrected cell	Volume [25.1/cow]	Received Cullment, Revised 7/17/07 cow #	2007 Participant sign up	Wmis ID	lat	lon	2001 Diversion	2002 Diversion	2003 Diversion	2004 Diversion	2005 Diversion	
DY16600311	LOWRY, OLIVER HOR BERTHA	43.01373	-114.53593	115	SP036035		4											
DY16500543	M & P DAIRY	42.75508	-114.47403	1040	SP053026		34											
DY16110195	MADSEN, LEROY	43.32475	-112.10451	90	SP081152		3											
DY16470666	MEENDERINK LIVESTOCK	42.84121	-114.63459	100	SP036026		3											
DY16110171	MERSUE DAIRY #1	43.16126	-112.47265	350	SP082130		11											
DY16110205	MICKELSEN, MARTIN	43.23371	-112.36198	240	SP080138		8											
DY16500493	MILLER, BLAINE	42.68406	-114.20666	830	SP065038	SP065038	27			D0008134	42° 41' 08.43" N	114° 12' 29.90" W	31	22	28	31	38	
DY16490234	MILLER, R. D. OR TIM	43.99895	-111.55539	50	SP055199		2											
DY16500504	MIRKIN, JON	42.67250	-114.51939	450	SP057024		15											
DY16310446	MOO MOUNTAIN MILK INC. #1	42.45685	-113.65003	2650	SP053054		86											
DY16311043	MOO MOUNTAIN MILK INC. #2	42.45450	-113.65000	2600	SP053054		91											
DY16310449	MOO VIEW COW PALACE	42.46630	-113.66731	450	SP091052		15											
DY16510275	MOORE, KEVIN KRISTY	43.72716	-111.97512	50	SP060171		2											
DY16310455	MOOSMAN ENTERPRISES LLC	42.46300	-113.72621	70	SP080051		2											
DY16510270	MORGAN, TONY	43.66497	-111.96135	50	SP065170		2											
DY16600300	MORNING STAR DAIRY	43.05753	-114.17513	320	SP044052		10											
DY16510264	MORTIMER, DALE	43.68401	-111.85498	35	SP066175		1											
DY16670422	MAYLOR DAIRY	42.68558	-113.56809	110	SP061065		4											
DY16670432	NEF, LYLE	42.74272	-113.66890	120	SP075063		4											
DY16500559	NELSEN DAIRY	42.82938	-114.51499	450	SP048029	SP048029	15	450	450	A0004696	42° 49' 45.34" N	114° 31' 07.16" W	4	11	21	43	40	
DY16110189	NELSON, BRUCE K.	43.22573	-112.26874	18	SP083141		1											
DY16110192	NELSON, LYNN	43.65703	-111.75982	130	SP071179		4											
DY16110193	NORTH CEDAR ARCH DAIRY	43.28229	-112.16841	40	SP081146		1											
DY16500536	NORTH CEDAR ARCH DAIRY #	43.30817	-112.15232	500	SP081149		16											
DY16500537	NORTHSHORE DAIRY #	42.74430	-114.56402	460	SP052025		15	1100	1100									
DY16500561	NOTCH BUTTE DAIRY LLC	42.75104	-114.55929	1100	SP051025		16	400	400									
DY16470613	NUMES BROTHERS	42.82873	-114.44098	60	SP050033		2											
DY16470461	OCHOA DAIRY	42.77791	-114.79173	1000	SP043016		33	1200	1200									
DY16470109	ON A SHESTRING DAIRY	42.76733	-114.49117	50	SP044079		2											
DY16100336	PACK, DEAN	42.85020	-114.75070	1650	SP040020		60											
DY16510260	PARADISE GROVE DAIRY	43.95499	-112.04118	700	SP069162		3											
DY16470052	PASHA DAIRY	43.68906	-111.80581	45	SP068176		1											
DY16200332	PEHRSON, BYRON DORAIN, LAY, MALL	42.71285	-114.75637	44	SP048015		1											
DY16470653	PEREIRA DAIRY	43.81383	-113.42099	250	SP019112		6											
DY16500541	PERSCHON, GEORGE	42.89548	-114.75376	275	SP044017		9											
DY16110181	PETTERSON DAIRY	43.21953	-114.47347	300	SP077129		14											
DY16500542	PETTERSON DAIRY BARN #2	42.75173	-114.47002	425	SP054026		14											
DY16110172	PHILLIPS BROTHERS FARM LLC	42.75166	-114.47002	1020	SP034029		33	425	425									
DY16510354	PINCOK, MIKE	43.83926	-112.66671	190	SP069126		6											
DY16110168	PINGREE CEDAR ARCH	43.83922	-112.47705	75	SP042153		2											
DY16470669	POCKET RANCH DAIRY	43.16099	-112.59461	560	SP078125		18											
DY16600254	POWELL BROTHERS	42.96745	-114.64080	425	SP036029		14											
DY16110159	PRESTIDGE, J.R.	43.70419	-111.76915	120	SP058160		4											
DY16510266	PRICE, FRED	43.01018	-112.81848	45	SP082109		1											
DY16510267	PRICE, JOHN	43.63487	-111.66137	60	SP069173		2											
DY16470606	PRINCE DAIRY #2	43.62798	-111.88680	75	SP069172		2											
DY16510110	PRINCE, JIM	43.00000	-112.00000	250	SP037015		8											
DY16510158	QUESNELL RANCH INC.	42.72470	-114.57750	820	SP052023		27	820	820									
DY16600392	R & L LEZAMIZ INC	42.52700	-114.07917	400	SP077037		13		25									
DY16470662	R & R DAIRY #1	43.03929	-114.22151	600	SP043050		20											
DY16470662	R & R DAIRY #2	42.91522	-114.66971	300	SP039026		14											
DY16470648	R & R DAIRY #3	43.00200	-114.73280	430	SP032026		14											
DY16600290	RAFTER S, INC.	42.78071	-114.67641	700	SP047021		23											
DY16100204	REEDS DAIRY INC FARM	43.11179	-114.17092	270	SP041055		9											
DY16470676	REITSMAN FARMS	43.49770	-112.06368	300	SP071158		10											
DY16110197	RICHLANE FARMS	42.70534	-114.71022	700	SP059016		23											
DY16470646	RIETKERK DAIRY #1	43.19735	-112.30346	135	SP0684138		4											
DY16470647	RIETKERK DAIRY #2	42.75491	-114.64058	300	SP049021		8	400	400									
DY16600247	RIGBY BROS DAIRY	42.75623	-114.64496	250	SP049021		10	330	330									
DY16600292	RILEY, RODNEY	43.89101	-111.83254	70	SP054183		2											
DY16600299	ROBINSON & SORENSON DAIRY	43.09905	-114.11517	30	SP043056		1											
DY16600302	ROBINSON & SORENSON DAIRY	43.05920	-114.15859	85	SP044053		3											

REPE	owner	lat	lon	2007 cows	Modeled cell	Corrected cell	Volume (29.1fcw)	Received Curtailment Revised 7/17/07 cow #	2007 Participant sign up	Wrms ID	lat	lon	2001 Diversion	2002 Diversion	2003 Diversion	2004 Diversion	2005 Diversion	
DY16470636	ROCHA DAIRY	42.74510	-114.67942	1900	SP048019		62	2000	2000	A0004657	42° 39' 47.02" N	114° 29' 25.36" W	44	48	46	57	70	
DY16470634	RODEO MOUNTAIN DAIRY	42.44643	-113.74178	190	SP091049		6			A0003680	42° 38' 33.38" N	114° 21' 59.14" W	202	142	200	158	241	
DY16311039	ROLLING LEAF FARMS LLC	42.46700	-113.73300	1256	SP090050		41			D0008888								
DY16530535	ROLLING ROCK DAIRY FARM LLC	42.75493	-114.59847	400	SP090024		13	550	550									
DY16510355	ROUNDY, W. H.	43.99274	-112.58529	190	SP030155		6											
DY16530552	SAWTOOTH DAIRY	42.78310	-114.48670	450	SP051029		15	1700	1700									
DY16470699	SCARROW BARN #2	42.69530	-114.62230	2300	SP049020		75	1700	1700									
DY16470637	SCARROW BARN #1	42.74019	-114.66881	1400	SP049020		46	1200	1200									
DY16710142	SEAGULL BAY DAIRY #3	42.73300	-114.66700	2300	SP049019		75	1700	1700									
DY16707142	SEAGULL BAY DAIRY	42.83274	-112.78720	600	SP094105		20											
DY16310467	SEARLE BROS. DAIRY	42.45327	-113.76116	200	SP090049		20											
DY16470664	SHADY GROVE DAIRY FARM	42.92531	-113.76116	480	SP038027		15	750	750									
DY16110202	SHUMWAY BROTHERS DAIRY	43.41106	-112.16672	500	SP076152	SP058025	16											
DY16530499	SH-ANN DAIRY	42.66410	-114.49342	675	SP058024		22	675	675	A0004657	42° 39' 47.02" N	114° 29' 25.36" W	44	48	46	57	70	
DY16530562	SH-ELLEN DAIRY	42.64850	-114.36162	3200	SP063029	SP063029	104	2850	2850	A0003680	42° 38' 33.38" N	114° 21' 59.14" W	202	142	200	158	241	
DY16531034	SH-ELLEN DAIRY #2	42.73360	-114.16670	2525	SP063038	SP063029	82	2600	2600	D0008888	42° 38' 34.41" N	114° 22' 08.80" W	138	254	347	342	316	
DY16470634	SILVA DAIRY	42.74684	-114.70509	80	SP048018		3											
DY16510261	SIMMONS, DEE	43.69109	-111.82480	30	SP066176		1											
DY16670397	SNAKE RIVER JERSEY'S #2	42.61847	-113.89996	400	SP077049		13											
DY16470616	SOARES DAIRY #1	42.77233	-114.76155	300	SP044017		10											
DY16470655	SOARES DAIRY #2	43.00000	-112.00000	200	SP047015		7											
DY16470645	SOARES DAIRY #3	42.75991	-114.63569	700	SP049022		23											
DY16470670	SORENSEN, MILT	42.94347	-114.65477	300	SP037028		10											
DY16470571	SOUTH VIEW DAIRY	42.66700	-114.70121	1650	SP090026		54	1800	1800									
DY16530548	SOUTH VIEW DAIRY #2	42.78065	-114.56090	1050	SP090026		34	1050	1050									
DY16470593	SOUTHFIELD DAIRY	42.72237	-114.76713	2500	SP047015	SP047015	81	2200	2200	A0004688	42° 43' 40.74" N	114° 49' 31.34" W	234	289	307	233	239	
DY16530507	ST. BRIDGETS DAIRY #2	42.65658	-114.55487	2800	SP047015	SP047015	91	2500	2500	A0003797	42° 43' 24.31" N	114° 46' 10.59" W	237	262	244	247	210	
DY16530546	STANDER 16 RANCH, INC.	42.76905	-114.56655	1680	SP057021		54											
DY16530520	STANDER HOLSTEINS #2	42.69439	-114.61253	1900	SP053020		62	1900	1900									
DY16510393	SUNNY SAGE DAIRY	43.82532	-112.47695	250	SP023156		8											
DY16510980	SUNNY SAGE DAIRY #2	43.00000	-112.00000	240	SP023156		2											
DY16470615	SYBESMA DAIRY	42.77327	-114.72727	950	SP044016		31	950	950									
DY16470627	T & F DAIRY	42.79036	-114.72896	600	SP044016		20	600	600									
DY16470570	T3 DAIRY	42.69693	-114.66739	600	SP042018		20	600	600									
DY16510352	TAGALONG DAIRY	43.00000	-112.00000	190	SP048156		6	640	640									
DY16670429	THAIN DAIRY	42.72160	-115.55661	190	SP080067		6											
DY16310459	THELMA'S DAIRY	43.05564	-114.15988	50	SP044053		2											
DY16530498	THOMAS DAIRY	42.49906	-113.76099	60	SP097050		2											
DY16530501	TOLMAN DAIRY, INC	42.65937	-114.47835	770	SP050025		25	720	720									
DY16470659	TURNER DAIRY	42.66482	-114.50400	718	SP050024		23	245	245									
DY16470659	TURNER, C. KEITH	42.84725	-114.77262	280	SP068054		9											
DY16470561	TURNER, C. KEITH	42.76143	-114.84710	680	SP034023		22											
DY16530547	UDDERLY GOLD DAIRY Y	42.78113	-114.84710	800	SP043013		26	980	980									
DY16470623	UR FARMS	42.69983	-114.57161	970	SP049025		19	530	530									
DY16470602	V & C DAIRY	42.76955	-114.85436	670	SP043013		22	650	650									
DY16470612	V & L DAIRY	42.78199	-114.80181	1700	SP043015		55	1700	1700									
DY16470624	V & L DAIRY #2	42.78472	-114.75372	270	SP043018		9											
DY16530555	VALENCIA DAIRY	42.79808	-114.56506	45	SP048026		1											
DY16470998	VAN DYKE AND SONS DAIRY	43.00000	-112.00000	1800	SP049013		59	1250	1250									
DY16530534	VAN DYKE DAIRY	42.75572	-114.61204	930	SP069023		31	1300	1300									
DY16470643	VAN DYKE DAIRY #2	42.75181	-114.61856	300	SP050022		10	30	30									
DY16470644	VAN DYKE DAIRY #3	42.75153	-114.62464	875	SP049022		29	875	875									
DY16530532	VAN DYKE DAIRY #4	42.74971	-114.61262	350	SP050022		11	480	480									
DY16530545	VAN LEUVEN FARMS, INC	43.74247	-112.12929	175	SP056165		6											
DY16530528	VAN STRAALEN DAIRY	42.72603	-114.61176	560	SP051021		18	550	550									
DY16530509	VANBEEK DAIRY	42.66405	-114.56908	1575	SP056021		51	1575	1575									
DY16530511	VANBEEK DAIRY #2	42.66977	-114.56974	3400	SP056022		111	2700	2700									
DY16470599	VANBERHAM BROTHERS	42.73793	-114.75993	2079	SP047016		68	2500	2500									
DY16530526	VANDERHAM DAIRY	42.71129	-114.57847	1100	SP053022	SP053022	36	1100	1100	A001855	42° 42' 44.12" N	114° 34' 42.03" W	12			70	56	

