

Randall C. Budge (ISB #1949)
Candice M. McHugh (ISB #5908)
RACINE OLSON NYE BUDGE &
BAILEY, CHARTERED
201 East Center Street
Post Office Box 1391
Pocatello, ID 83201
(208) 232-6101 - Telephone
(208) 232-6109 - Facsimile

*Attorneys for IGWA, North Snake Ground Water District,
and Magic Valley Ground Water District*

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GOODING**

IDAHO GROUND WATER
APPROPRIATORS,
INC., NORTH SNAKE GROUND WATER
DISTRICT, and MAGIC VALLEY GROUND
WATER DISTRICT,

Petitioners,

vs.

GARY SPACKMAN, in his capacity as
Interim Director of the Idaho Department of
Water Resources; and the IDAHO
DEPARTMENT OF WATER RESOURCES,
Respondents.

vs.

CLEAR SPRINGS FOODS, INC.

IN THE MATTER OF DISTRIBUTION OF
WATER TO WATER RIGHT NOS. 36-
04103A, 36-04013B AND 36-7148 (Snake
River Farm)

(Water District Nos. 130 and 140)

Case No. 2009-0000431

**GROUND WATER USERS' REPORT TO
COURT ON CONVERSION ACRES**

COME NOW, NORTH SNAKE GROUND WATER DISTRICT, and MAGIC VALLEY GROUND WATER DISTRICT, acting for and on behalf of their members and those non-member participants in their mitigation activities, through counsel, and pursuant to the *Order Setting Deadlines for Filing of Verification of Conversion Acres and Shortfall Calculation* dated November 9, 2009 and *Order Granting Ground Water Users' Request for Additional Time to File Report with the Court* dated January 11, 2010 and respectfully submit this *Ground Water Users' Report to the Court Regarding Conversion Acres*.

The old and potential new conversion acres are wholly located within North Snake Ground Water District. Accordingly, in early November, 2009, North Snake Ground Water District ("Ground Water District") sent a letter to all of its members soliciting additional conversion acres and requesting that those members who may be interested in converting from groundwater to surface water contact the Ground Water District. That letter generated numerous responses from interested members that collectively totaled over 7,000 additional acres for conversions. Since that time, the Ground Water District and the individual landowners have been working cooperatively to secure funding for the construction and implementation of conversion acres, to secure canal company agreements to deliver surface water to the conversion acres and to negotiate the terms of new conversion agreements between the Ground Water District and the water user.

To verify conversion acres Officers and Board members of the North Snake Ground Water District have been making personal contact with the landowners to secure commitments to continue with prior conversions in 2010 as well as to secure new, additional conversions. Progress has been steadily made and the Ground Water Districts expect to have over 9,000 acres

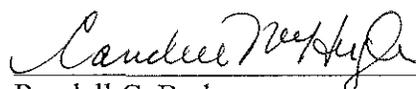
in place and operating for the 2010 irrigation season. The table below summarizes the status of the conversion acres as reported by the Ground Water Districts to counsel as of January 19, 2010.

SUMMARY OF CONVERSION ACRES	TOTAL APPROXIMATE ACRES
Interested New Conversions for 2010	7,000
New Conversions in Progress or Complete but Without Contracts	3,800
Total New Conversions for 2010 with Contracts Signed	200
Total Old Conversions Verified for 2010 and Contracts Pending	3,400
Total Old Conversions Verified for 2010 and Contracts Signed	1,600
TOTAL CONVERSIONS PROJECTED FOR 2010	9,000

The Ground Water District expects to have additional conversions under contract before the January 28, 2010, status conference and will provide that update to the Court and parties at that time.

DATED this 19th day of January, 2010.

RACINE, OLSON, NYE, BUDGE
& BAILEY, CHARTERED



Randall C. Budge
Candice M. McHugh

CERTIFICATE OF MAILING

I hereby certify that on this 19th day of January, 2010, the above and foregoing was sent to the following by U.S. Mail, proper postage prepaid and by e-mail for those with listed e-mail addresses:

Deputy Clerk Gooding County District Court 624 Main St. PO Box 417 Gooding, ID 83330	<input type="checkbox"/> U.S. Mail, postage prepaid <input checked="" type="checkbox"/> Facsimile <input type="checkbox"/> E-Mail <input type="checkbox"/> Hand Delivery
Honorable Eric Wildman <i>courtesy copy</i> SRBA District Court PO Box 2707 253 3 rd Avenue North Twin Falls, ID 83303-2707	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Facsimile <input type="checkbox"/> E-Mail <input type="checkbox"/> Hand Delivery
Phil Rassier Idaho Department of Water Resources 322 East Front Street P.O. Box 83720 Boise, ID 83720-009 phil.rassier@idwr.idaho.gov chris.bromley@idwr.idaho.gov	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> E-Mail <input type="checkbox"/> Hand Delivery
John K. Simpson Travis L. Thompson Paul L. Arrington BARKER ROSHOLT & SIMPSON LLP 1010 W. Jefferson, Suite 102 P.O. Box 2139 Boise, Idaho 83701 jks@idahowaters.com tlt@idahowaters.com pla@idahowaters.com	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> E-Mail <input type="checkbox"/> Hand Delivery
Daniel Steenson Ringert Clark PO Box 2773 Boise, ID 83701-2773 dan@ringertlaw.com	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> E-Mail <input type="checkbox"/> Hand Delivery

Michael C. Creamer
GIVENS PURSLEY LLP
601 W. Bannock St.
Post Office Box 2720
Boise, Idaho 83701-2720
mcc@givenspursley.com

U.S. Mail, postage prepaid
 Facsimile
 E-Mail
 Hand Delivery

