



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

March 31, 2008

Sent Electronically and via U.S. Mail

John R. MacMillan
Vice President
Clear Springs Foods, Inc.
P.O. Box 712
Buhl, Idaho 83316

Randall C. Budge, Esq.
Racine Olson
P.O. Box 1391
Pocatello, Idaho 83204-1391

Re: Clear Springs Foods, Inc.'s Snake River Farm Request for 2008 Conjunctive Administration

Gentlemen:

This letter is prepared in response to the letter from Dr. MacMillan dated March 28, 2008 (copy enclosed). The letter outlines the expectation by Clear Springs Foods, Inc. for timely and lawful action by the Water District 130 Watermaster to implement the requirements of the July 8, 2005 Order in this matter so as to protect Clear Springs' senior water rights in 2008.

The Clear Springs request is based on the failure of the ground water users to submit an acceptable mitigation or replacement plan for 2008. Consistent with the July 8, 2005 Order, either acceptable mitigation or a replacement plan is required prior to the diversion from ground water of junior water rights in an area computed by the ground water model in this area.

In accordance with the provisions of the July 8, 2005 Order, involuntary curtailment will be ordered if ground water users fail to provide to this office an acceptable mitigation or replacement plan by **5:00 pm on Monday, April 7, 2008** for the consideration and approval of the Director.

Sincerely,

A handwritten signature in black ink, appearing to read 'David R. Tuthill, Jr.', written over a horizontal line.

David R. Tuthill, Jr.
Director

Enclosure: Letter from John R. MacMillan dated March 28, 2008