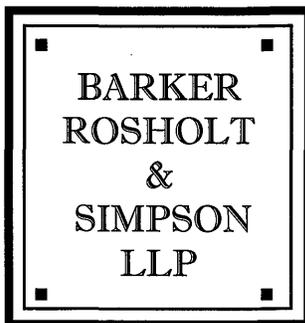


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April 8, 2015

VIA EMAIL & U.S. MAIL

Director Gary Spackman
Idaho Dept. of Water Resources
322 E. Front St.
Boise, Idaho 83720-0098

Re: 2015 Conjunctive Administration (Step 1 Methodology Order)

Dear Director Spackman:

We are writing on behalf of our clients A&B Irrigation District, Burley Irrigation District, Milner Irrigation District, North Side Canal Company, and Twin Falls Canal Company in response to your February 24, 2015 letter concerning Step 1 of the Methodology Order.¹ I apologize for the slight delay in this letter as it was supposed to go out the week before I left for spring break but inadvertently it was not sent.

With respect to the Step 1 requirement to confirm irrigated acreage for the year, our clients adopt and resubmit the letter that was delivered to you last year for purposes of 2014 administration. As noted last year, all of our clients' decreed natural flow water rights identify the number of authorized acres to irrigate within their respective project boundaries. Accordingly, the Director is required to use the elements of the partial decrees for purposes of water right administration. I.C. §§ 42-607; 1417.

Moreover, all clients have confirmed that the expected irrigated area within each project this year has not varied by more than 5% from the existing information (electronic shape files) that have been submitted to you in prior years.

¹ The "Methodology Order" refers to the Director's *Second Amended Final Order Regarding Methodology for Determining Material Injury to Reasonable In-Season Demand and Reasonable Carryover* issued in June 2010. That order and various implementation orders were appealed to the SRBA District Court resulting in Judge Wildman's September 26, 2014 *Memorandum Decision and Order on Petitions for Judicial Review*. The Court affirmed the Director's actions in part, and set aside others in part. The case was remanded to IDWR for further proceedings as necessary consistent with the decision. See *Memorandum Decision* at 48. The Director previously indicated that he expects to issue a revised order on remand to apply this irrigation season.

Director Gary Spackman
April 8, 2015
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The number of irrigated acres identified by existing shape files on file with the SRBA Court or as submitted to you in prior years is as follows: A&B – 15,924; BID – 46,083; Milner – 13,335; NSCC – 154,067; TFCC – 194,778.

If you have any questions please contact me at (208) 733-0700.

Sincerely,

BARKER ROSHOLT & SIMPSON LLP



Travis L. Thompson

Enc.

cc: (by email only)
Garrick Baxter, IDWR
Dan Temple, A&B
John Lind, BID
Walt Mullins, Milner
Alan Hansten, NSCC
Brian Olmstead, TFCC
Kent Fletcher
Randy Budge / T.J. Budge
Dean Tranmer / Sarah Klahn / Mitra Pemberton