

MEMORANDUM

To: TJ Budge

From: Charles Brendecke and Sophia Sigstedt

Subject: Comments upon review of IDWR Memorandum and Rangen Expert Report regarding delivery call for water right no. 36-15501

Date: February 17, 2015

This memorandum presents our comments upon review of the following documents regarding the delivery call for water right no. 36-15501:

- Brockway Engineering Expert Report in Support of Rangen, Inc.'s Delivery Call for Water Right No. 36-15501 ("Rangen Report), January 26th, 2015
- IDWR Staff memorandum for Rangen, Inc. delivery call, water right 36-15501 to Director Spackman ("IDWR memo"), February 9th, 2015.

1 Rangen Report

We agree with the Department that Brockway's "Tunnel flow" chart appears not to include flow in the white pipe.

2 IDWR Memo

The IDWR Memo disagreed with the application of the Morris exchange credit to the Rangen 1957 water right in the analysis presented by Sullivan¹ on water availability because the credit was previously included as part of the mitigation for injury to Rangen's 1962 water right in 2014. At that time there was no injury to Rangen's 1957 priority right and thus no reason to allocate Morris credits to mitigation of injury to that right. Practically speaking, if the Director finds material injury to the 1957 priority right it would be expected that the Morris exchange credit would be applied first to that right, which would in turn reduce the amount of the Morris credit applicable to the 1962 right.



¹ Sprong Water Engineers, INC. Expert Report for 2014 Rangen Delivery Call Prepared for the City of Pocatello January 26th, 2015