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8 **BEFORE THE DEPARTMENT OF WATER RESOURCES**  
9 **OF THE STATE OF IDAHO**

10 IN THE MATTER OF DISTRIBUTION OF )  
WATER TO VARIOUS WATER RIGHTS )  
HELD BY OR FOR THE BENEFIT OF )  
11 A&B IRRIGATION DISTRICT, )  
AMERICAN FALLS RESERVOIR )  
12 DISTRICT #2, BURLEY IRRIGATION )  
DISTRICT, MILNER IRRIGATION )  
13 DISTRICT, MINIDOKA IRRIGATION )  
DISTRICT, NORTH SIDE CANAL )  
14 COMPANY, AND TWIN FALLS )  
CANAL COMPANY )  
15 )

**DIRECT TESTIMONY OF WALTER  
R. MULLINS**

16 **Q. CAN YOU PLEASE STATE YOUR FULL NAME AND ADDRESS?**

17 A. Yes. Walter R. Mullins. I live at 5290 East, 3610 North, Murtaugh, Idaho 83344.

18 **Q. WILL YOU PLEASE DESCRIBE YOUR BACKGROUND?**

19 A. I grew up in Arizona in the logging industry. I graduated from high school in Quartz  
20 Hill, California. In 1976, I began working for A&B Irrigation District as a deep-well systems  
21 ditch rider (1976 through 1978 and 1981 through 1982). I also worked for A&B as the pumping  
22 plant operator for Unit A (1982 through 1990) and as water master for the west division (1990  
23  
24

1 through 1996). In 1996, I went to work for Oakley Canal Company, as their manager and water  
2 master until December 1, 2002 when I became the Milner General Manager.

3 **Q. MR. MULLINS, HOW ARE YOU CURRENTLY EMPLOYED?**

4 A. I am the General Manager of Milner Irrigation District. I have been the general manager  
5 since December 1, 2002.

6 **Q. WHAT, GENERALLY, ARE YOUR DUTIES AS MANAGER OF MILNER?**

7 A. Under the direction of the Board of Directors, my duties include administrative functions  
8 of budgeting, financing, management of the District's properties, maintaining and monitoring the  
9 water user's accounts, public relations, and employment decisions. We strive for the equitable  
10 delivery of water and proper maintenance and operation of the District's facilities.

11 **Q. WHAT IS THE PURPOSE OF MILNER IRRIGATION DISTRICT?**

12 A. Milner's purpose is to hold water rights, real properties, and other assets. To distribute  
13 water and maintain and protect those rights, properties, and assets for the landowners within the  
14 District and to deliver the allocated water to the landowners within Milner in an equitable and  
15 timely manner.

16 **Q. DOES FIGURE 3-6 (PAGE 3-39 OF THE SWC EXPERT REPORT) IN EXHIBIT  
17 8000 PROVIDE A MAP OF WHERE MILNER IS LOCATED?**

18 A. Yes.

19 **Q. CAN YOU BRIEFLY DESCRIBE THE DISTINCTION BETWEEN "OLD"  
20 LANDS AND "NEW" LANDS WITHIN MILNER AND HOW THIS DISTINCTION  
21 MAY IMPACT WATER DELIVERIES?**

22 A. To my knowledge, "old" lands were established between the years of 1921 and the late  
23 1940's. They amounted to about 9,483 acres. Sometime later, 4,065 acres were annexed into the  
24

1 district and classified as “new” lands. The “new” lands required a water supply. Milner  
2 ultimately purchased 44,500 acre feet of Palisades storage space. Milner was advised by Lynn  
3 Crandall, then Basin 36 Watermaster (now known as Water District 01), to purchase space three-  
4 times greater than their anticipated needs, in the event that Palisades’ junior storage water rights  
5 failed to fill. This, in theory, was to insure deliveries during periods with less than a full water  
6 supply. “Old” lands have first rights to any natural flow, and the American Falls storage, while  
7 the “new” lands have access to any natural flow, and storage rights held by the “old” lands which  
8 may not be required to grow a crop. Consequently if natural flow continues to dwindle and  
9 storage space in American Falls fails to fill, “new” lands would be solely dependent upon  
10 Palisades to fill their irrigation needs.

11 **Q. NOTWITHSTANDING THIS DISTINCTION BETWEEN “OLD” AND “NEW”**  
12 **LANDS, IS MILNER CONSIDERED AND ASSESSED AS A SINGLE IRRIGATION**  
13 **DISTRICT?**

14 A. Yes. All lands are assessed the same amount.

15 **Q. WHAT, GENERALLY, ARE THE PHYSICAL FACILITIES OF MILNER?**

16 A. Milner holds and maintains the following physical structures for the operation of the  
17 district and delivery of water within the district:

18 *Diversion Works*

19 Milner’s diversion works begin at the Southwest end of the Milner Pool (Milner  
20 Reservoir) with Pumping Plant No. 1, which lifts water about 80-feet from the Snake River into  
21 the Main Canal with a capacity of 344 cfs. The Main Canal is 20.2 miles long. At Pumping  
22 Plant No. 2, water is lifted from the Main Canal into Canal No. 2, with a capacity of 119 cfs.  
23 Canal No. 2 is about 5-miles long. At Pumping Plant No. 3, water is lifted from the Main Canal  
24

1 into Canal No. 3, with a capacity of about 58 cfs. Canal No. 3 is about 5-miles long. Smaller  
2 plants, such as the East Plant, South West, 2 B, Kirk, Spann, Mason and Warr, are used  
3 throughout the system to lift and move the water to the District's water users.

4 BUILDINGS AND PROPERTIES

5 Milner owns five homes, a shop, an office, three pumping plants, and a farm unit of about  
6 165 acres on the tail end of the system which is leased out.

7 **Q. HOW ARE THOSE FACILITIES USED TO FULFILL MILNER'S PURPOSE?**

8 A. They provide the means to deliver the water to each parcel of land.

9 **Q. DOES MILNER HAVE AN ANNUAL MAINTENANCE AND IMPROVEMENT  
10 PROGRAM? CAN YOU GENERALLY DESCRIBE THAT PROGRAM?**

11 A. We have nothing in writing, but we do plenty of maintenance and improvements on our  
12 system. Annually, we dismantle the pumps in the pumping stations and perform preventative  
13 maintenance. We will ship the pumps and motors off for repairs if necessary. We constantly  
14 maintain canal systems in spring and fall including cleaning and shaping of canals. We have  
15 installed pipelines and automatic upstream elevation control gates to control the flows in our  
16 canals.

17 **Q. CAN YOU GENERALLY DESCRIBE MILNER'S WATER RIGHTS?**

18 A. Sure. Milner holds various natural flow and storage water rights to the Snake River,  
19 dating from the early 1900's.

20 Natural Flow Rights

21 Water Right No. 01-00009  
22 Priority Date: April 1, 1939  
23 Diversion Rate: 121 cfs

24 Water Right No. 01-00017  
Priority Date: November 14, 1916

1 Diversion Rate: 135 cfs  
2 Water Right No. 01-02050  
3 Priority Date: October 25, 1939  
4 Diversion Rate: 37 cfs  
5 TOTAL: 293 cfs

6 Storage Space

7 45,687 acre-feet in American Falls Reservoir (44,951 useable)  
8 44,500 acre-feet in Palisades Reservoir  
9 TOTAL: 90,187 acre-feet of storage space

10 **Q. APPROXIMATELY HOW MANY ACRES DOES MILNER SERVE?**

11 A. Pursuant to these water rights, Milner is authorized to irrigate 13,548 acres.

12 **Q. DOES MILNER HAVE ANY GROUND WATER RIGHTS?**

13 A. Yes, we have one small ground water right for irrigation purposes (#45-463). It's a right  
14 for 2.5 cfs. We have used it sparingly over the years to help supplement deliveries on the tail  
15 end of the system. We pumped 76 acre-feet in 2004 and have not used it the last three years.

16 **Q. HOW DOES MILNER DELIVER THE WATER TO ITS LANDOWNERS?**

17 A. The District makes deliveries through a series of pump lift stations, open distribution  
18 systems and closed conduits

19 **Q. HOW LONG DOES IT TAKE FOR WATER DIVERTED AT THE SNAKE  
20 RIVER TO REACH THE END OF MILNER'S SYSTEM?**

21 A. Without manipulation, the water will take approximately 18-24 hours to get through the  
22 system. If the water is being manipulated, it can flow through the system in 9-12 hours.

23 **Q. IS MILNER ASSESSED FOR THE DIVERSIONS IT MAKES FROM THE  
24 RIVER?**

A. Yes. Water District 01 charges a fee for our total diversions to cover their expenses of the  
past year's operation of the district. The charge changes each year based on what those past costs  
were and the budget for the coming year. In 2006, the cost was \$0.20468 per acre-foot.

1 **Q. DID MILNER INCUR A COST TO BUILD THE DAMS THAT STORE**  
2 **MILNER'S STORAGE WATER RIGHTS?**

3 A. Yes, Milner signed construction contracts with the Bureau of Reclamation and paid for  
4 the construction charges for its reservoir storage space.

5 **Q. DOES MILNER PAY ANNUAL CHARGES TO OPERATE AND MAINTAIN**  
6 **THE DAMS?**

7 A. Yes, we are assessed an operation and maintenance "O&M" charge each year for  
8 American Falls and Palisades dams.

9 **Q. WHO DOES IT PAY, AND WHAT IS THE CURRENT O&M ASSESSMENT**  
10 **FOR THE DAMS?**

11 A. Milner pays these O&M costs to the Bureau of Reclamation. The annual costs vary but  
12 they have increased in recent years. The estimated 2007 costs to Milner were:

|    |                |             |
|----|----------------|-------------|
| 13 | American Falls | \$19,340.80 |
| 14 | Palisades      | \$11,661.19 |

15 **Q. AS PART OF ITS OPERATIONS, DOES MILNER INCUR OPERATIONAL**  
16 **LOSS? IF SO, WHY AND WHAT HAPPENS TO THE OPERATIONAL LOSS?**

17 A. Yes, Milner has operational losses-due to percolation, evaporation and potential over-  
18 deliveries. These operational losses account for 15-20%. In addition, water does spill out the  
19 end of the system. This is called operational spill and is used to ensure that our tail-end users  
20 have sufficient water. Operational spill is 5% or less. These losses do not reflect what is gained  
21 in return flows to the system.

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1 **Q: HOW MUCH WATER IS EACH ASSESSED ACRE ENTITLED TO RECEIVE**  
2 **FROM THE DISTRICT WHEN THERE IS A FULL WATER SUPPLY? HOW MUCH IS**  
3 **TYPICALLY DELIVERED PER ACRE?**

4 A: Each acre is entitled to 4 acre-feet per acre (“afa”) when there is a full supply. This is  
5 reduced to a Board set amount in times of shortage with no allowance for over-usage or excess  
6 water usage. In other words, in times of shortage, when a water user has used his/her prescribed  
7 amount for the year, their head gate is shut and locked.

8 **Q: HOW ARE YOU MADE AWARE WHEN LANDOWNERS NEED WATER?**  
9 **HOW MUCH NOTICE DO THEY PROVIDE YOU OR THE DITCHRIDERS?**

10 A: Any change in diversion must be made with a ditch rider by 2 pm at least one day before  
11 the change. This pertains to daily operations. Additional time would be required to charge the  
12 system prior to delivery in the spring or during power interruptions.

13 **Q: WHEN DO YOU ADVISE LANDOWNERS ABOUT THE DISTRICT’S**  
14 **EXPECTED WATER SUPPLY FOR THE YEAR?**

15 A: Our goal is to gather information such a carryover, individual storage accrual to Milner’s  
16 American Falls and Palisades space, and anticipated runoff within the drainage and provide this  
17 to the Board to establish an allotment for each water user. This information is passed onto the  
18 water users in March. If there are significant changes we then notify them of any changes, but  
19 we are not always able to before deliveries are reduced. We re-evaluate the water supply at least  
20 monthly during the irrigation season.

21 **Q: DO YOU HAVE ANY CONTROL ON HOW A LANDOWNER USES THE**  
22 **WATER ON HIS OR HER LAND ONCE IT IS DELIVERED TO THE FARM?**

1 A: The landowner is responsible to apply the water for authorized beneficial uses to their  
2 land. They are responsible for the water that has been delivered to them until it is returned as  
3 authorized by the ditchrider. Regardless of method, our water users are expected to use the water  
4 to the best of their abilities to meet the needs of the crops.

5 **Q: DO YOU DELIVER WATER IF THE LANDOWNER DOES NOT USE THE**  
6 **WATER FOR IRRIGATION PURPOSES?**

7 A: No.

8 **Q: DOES THE DISTRICT DISCOURAGE WASTE? DOES IT IMPOSE**  
9 **PENALTIES FOR EXCESS USE?**

10 A: The District encourages conservation. However, on occasions during periods of  
11 full supply, when a water user exceeds his/her allotment, a penalty of \$12 per acre/foot is  
12 assessed.

13 **Q: HOW IS WATER DELIVERED DURING THE PEAK IRRIGATION DEMAND**  
14 **PERIOD IN THE SUMMER?**

15 A: During my time at the district, we have not exceeded the capacities of our pumping plants  
16 or canals to any degree that would require an allotment. However, if such a situation should  
17 occur, I would be forced to distribute the usable flows on a prorated basis.

18 **Q. DOES MILNER UTILIZE RETURN FLOWS OR TAIL WATER FROM**  
19 **INDIVIDUAL FARMS?**

20 A. Yes. Although unpredictable, Milner utilizes return flows to the best of our ability in an  
21 effort to conserve storage water. Our system is constructed in such a manner that spill water in  
22 Canal No. 2 flows into Canal No. 3 which spills back into the Main Canal. This allows Milner to  
23 utilize the return flows when available.

1 **Q. DO SOME OF MILNER'S LANDOWNERS HAVE ACCESS TO WATER OR**  
2 **HAVE WATER RIGHTS INDEPENDENT OF MILNER'S RIGHTS?**

3 A. I don't have any specific knowledge about private water rights, like supplemental ground  
4 water rights that are used on Districts lands. I know some wells owned by Darrell Funk within  
5 the District are used on lands outside the District. I know David Funk has a private well within  
6 the District used on private non-District lands. I also know one well was used during the drought  
7 declaration in 2004, Terry Hollifield piped water from outside the District to District lands.

8 **Q. DO THESE INDEPENDENT WATER RIGHTS, IF THERE ARE ANY, HAVE**  
9 **ANY EFFECT ON THE OBLIGATIONS OF MILNER TO DELIVER WATER TO ITS**  
10 **LANDOWNERS?**

11 A. No. The private water rights are independent of the District's rights. The private rights  
12 do not alter our obligation to serve district lands with Milner's water rights.

13 **Q. HAVE YOU WITNESSED REDUCED SURFACE WATER SUPPLIES UNDER**  
14 **THE NATURAL FLOW RIGHTS HELD BY MILNER? HOW HAVE THESE**  
15 **REDUCTIONS IN SUPPLY AFFECTED THE DISTRICT?**

16 A. Yes. Water District 1 accounting records would confirm that early and late season  
17 natural flow has gradually diminished over a period of years under the Milner Irrigation  
18 District's rights. This in turn requires the District to rely on stored water, which reduces the  
19 amount of carryover storage that we are dependant on during drier years. This has an adverse  
20 effect on our ability to store water. In addition, increased demands on the storage system to  
21 provide water for mitigation and various other uses including diminished natural flows creates a  
22 larger hole to fill in the storage space that Milner owns.

1 **Q. HOW HAS THE REDUCED WATER SUPPLY AFFECTED MILNER'S**  
2 **STORAGE RIGHTS?**

3 A. When natural flow rights are not realized, the District must become increasingly  
4 dependent on storage to supply water to landowners. This ultimately reduces the storage  
5 supplies and impairs the ability of the District to store water for future use in periods of less than  
6 adequate precipitation.

7 **Q. HAVE MILNER'S WATER RIGHTS BEEN FULFILLED DURING THE**  
8 **RECENT DROUGHT?**

9 A. No. In 2004, Milner allotted 2.3 acre-feet to each assessed acre. In 2005, Milner was  
10 facing a 2.7 acre feet per acre allotment to "old" lands users, and under 1 acre foot per acre to the  
11 "new" lands users. In June, 2005, the allotment was raised to 3.6 acre-feet. We were blessed  
12 with rain in 2005 that prevented our district and farmers from devastating losses. Irrigation  
13 demands throughout the basin were reduced and that allowed the reservoir system to fill to a  
14 greater degree than it would have without the rains. However, demand would have exceeded  
15 supply without the rains.

16 **Q. HOW HAS MILNER ATTEMPTED TO MITIGATE THE EFFECTS OF**  
17 **REDUCED OR INSUFFICIENT WATER SUPPLIES?**

18 A. Milner has installed approximately 3.5 miles of pipeline and automatic water level  
19 controllers at critical locations within the canal system. In addition, Milner put together a water  
20 accounting program to track water on a daily basis – as opposed to a monthly basis as  
21 historically. This allows us to keep better track of deliveries to ensure no over-deliveries or  
22 deliveries when no water is needed. We maintain a rigorous maintenance program on the system  
23  
24

1 to ensure that we are operating as efficiently as possible. We try to operate our canals at an  
2 elevation that is consistent with a constant water delivery – we try not to overfill the canals,

3 **Q. HOW WOULD YOU CHARACTERIZE THE DISTRICT’S LANDOWNERS?**

4 A. The water users in our district are responsible stewards of the land. They do not take  
5 advantage of the system by diverting more water than they can use. Also, the water users  
6 maintain well managed farms. They have good weed control and good-looking crops.

7 **Q. HOW MUCH OF MILNER IS IRRIGATED WITH SPRINKLERS AND HOW  
8 MUCH IS GRAVITY IRRIGATED?**

9 A. Approximately 80% of the District lands are irrigated with sprinklers and the remainder  
10 would be gravity. Some lands have converted from gravity to sprinkler irrigation in recent years,  
11 but of our total most lands had converted prior to 2002.

12 **Q. WHY DID MILNER MAKE A CALL IN 2005?**

13 A. In an effort to protect the District’s natural flow and storage rights. Over the years,  
14 Milner had noticed a decline in the natural flows, especially in the late season. Milner used to  
15 receive natural flow into July, and our natural flow rights would occasionally be back on in  
16 priority through periods of August, September, and October. However, in 2004 Milner diverted  
17 no natural flow and relied on storage 100% that year. Milner can no longer rely on these natural  
18 flow diversions as it had in the past. This has caused Milner to rely more on its storage. In  
19 addition, reduced natural flows also reduce the amount of storage. Milner only had about 2,600  
20 acre-feet in carryover from 2004 heading into 2005. The reduced natural flow and water  
21 available for storage affected the District’s water rights. Milner believes that these declines are  
22 caused, at least in part, by out-of-priority groundwater diversions.

23 **Q. WHAT IS “CARRYOVER” STORAGE?**

24

1 A. Water that is left in the reservoirs at the end of the irrigation season. To be used in future  
2 years.

3 **Q. HOW IS “CARRYOVER” STORAGE INTEGRATED INTO MILNER’S WATER**  
4 **SUPPLY? HOW DOES “CARRYOVER” STORAGE IMPACT THE PLANNING**  
5 **PERSPECTIVE OF THE DISTRICT?**

6 A. During periods of less than adequate accrual to storage, and with the increased  
7 uncertainty of Milner’s 1916 and 1939 natural flow rights, we are growing increasingly  
8 dependent on carry over storage to meet the needs of our water-users. Carryover is very  
9 important for our future supply and our ability to provide water to the landowners, particularly in  
10 years with low snow-pack.

11 **Q. ARE YOU FAMILIAR WITH THE DIRECTOR’S REASONABLE**  
12 **“CARRYOVER” STORAGE DETERMINATION FOR MILNER?**

13 A. Yes.

14 **Q. HOW WILL THE DIRECTOR’S REASONABLE “CARRYOVER” STORAGE**  
15 **DETERMINATION IMPACT MILNER?**

16 A. The Director’s reasonable “carryover” determination for Milner is 7,200 acre-feet. Such  
17 a determination would put Milner’s ability to meet the needs of its landowners, primarily the  
18 “new” lands landowners in jeopardy. With a limitation of only 7,200 acre-feet, Milner will not  
19 be able to plan sufficiently for future short water years. In recent years, Milner has had sufficient  
20 carryover to reduce the impacts of the ongoing drought. This carryover has exceeded the 7,200  
21 acre-foot reasonable “carryover” determination. However, these storage supplies are dwindling  
22 and, within the next two irrigation seasons, Milner’s ability to meet the needs of its water users  
23 will be at risk. If Milner receives no natural flow and the storage space in American Falls fails to  
24

1 fill, "new" lands would be solely dependent upon Palisades to fill their irrigation needs. In that  
2 case, Milner would need at least 20,000 acre-feet in carryover in Palisades to cover a 4 afa  
3 delivery to its "new" lands the next year, which includes water to cover losses and evaporation.

4 **Q. ARE YOU FAMILIAR WITH THE DIRECTOR'S "MINIMUM FULL SUPPLY"**  
5 **FINDING FOR MILNER IN HIS MAY 2<sup>ND</sup> ORDER?**

6 A. Yes.

7 **Q. HOW DOES THIS "MINIMUM FULL SUPPLY" COMPARE TO THE**  
8 **DECREED QUANTITIES IN THE MILNER'S WATER RIGHTS, AS DISCUSSED**  
9 **ABOVE?**

10 A. Milner has a combined useable storage right of 89,451 acre feet, of which 44,951 acre-  
11 feet are in American Falls, and 44,500 acre-feet are in Palisades. In addition, Milner has natural  
12 flow rights of 293 cubic feet per second, when in priority. The Directors 50,800 acre-feet  
13 combined minimum full supply falls short by 38,651 acre-feet when compared only to the  
14 storage rights of our district. Our natural flow rights have historically provided water well into  
15 the irrigation season. The Director's determination doesn't appear to recognize our natural flow  
16 rights at all.

17 **Q. WHAT IS YOUR OPINION OF THE DIRECTOR'S "MINIMUM FULL**  
18 **SUPPLY" FINDING FOR MILNER?**

19 A. It is my understanding that the Director's "minimum full supply" numbers were  
20 structured on the 1995 total diversion of our District. That year was considered wet and required  
21 only a 2.19 acre foot average head gate delivery to satisfy the needs of the crops within our  
22 district. In that year we diverted 24,605 acre-feet of natural flow and 26,120 acre-feet of  
23 storage. Milner had carryover storage of 75,450 acre-feet. These numbers are not consistent  
24

1 with the current water situation. In 2004, Milner diverted 2.17 acre-feet per acre. However, this  
2 was not because wet weather reduced the landowners' demands. In 2004, our total storage  
3 allocation was only 41,286 acre-feet – or 34,164 acre-feet less than our carryover in 1995.

4 **Q: DID YOU PREPARE AN AFFIDAVIT THAT WAS FILED WITH THE**  
5 **DIRECTOR THIS PAST SUMMER?**

6 A: Yes. I filed the affidavit to provide estimates on what the District's demand was expected  
7 to be this year when conditions were hot and there was little precipitation. I was concerned that  
8 the lack of natural flow would affect our carryover and the ability to have sufficient water for  
9 2008.

10 **Q: DO YOU INCORPORATE THAT AFFIDAVIT FOR PURPOSES OF YOUR**  
11 **TESTIMONY HERE?**

12 A. Yes.

13 **Q. HOW DOES THE DIRECTOR'S "MINIMUM FULL SUPPLY" FINDING**  
14 **IMPACT MILNER'S ABILITY TO MEET THE NEEDS OF ITS LANDOWNERS AND**  
15 **TO PLAN FOR THE UPCOMING IRRIGATION SEASON?**

16 A. Milner relies heavily on its storage rights to provide water to the District landowners.  
17 However, the Director's "minimum full supply" attempts to limit the amount of water Milner  
18 may use before the Director will consider Milner to be injured. If the District does not receive  
19 natural flow and is forced to rely upon its storage water rights it will impair our ability to satisfy  
20 the landowners' full supply, particularly in multiple dry years.

21 **Q. WHAT IS THE CURRENT CONDITION OF THE EXPECTED WATER SUPPLY**  
22 **FOR MILNER FOR THE 2008 IRRIGATION SEASON?**

1 A. If American Falls Reservoir fills, then that, along with the carryover Milner currently has  
2 stored from the 2007 season, should provide sufficient water for Milner to meet its demands this  
3 season with a diversion of 4 afa to each landowner. However, if we have another dry or average  
4 winter, then American Falls will likely not fill and we may not be able to deliver 4 afa at the  
5 headgate. Furthermore, if 2008 is a dry year, then Milner's storage accruals will be greatly  
6 diminished and the 2009 irrigation season may be very difficult.

7 **Q. IS THAT CONDITION STATIC OR DOES IT CHANGE?**

8 A. No. This condition is constantly changing.

9 **Q. TO THE BEST OF YOUR ABILITIES AND KNOWLEDGE, PLEASE**  
10 **DESCRIBE THE EFFECTS ON MILNER'S LANDOWNERS OF A REDUCED WATER**  
11 **SUPPLY AS IT RELATES TO COSTS, YIELDS, CROPPING PATTERNS AND OTHER**  
12 **CONSIDERATIONS.**

13 A. I noticed that some of the cropping patterns have changed. For example, in 2005, I  
14 noticed that a lot of farmers were anticipating a short water year and decided to grow more  
15 grains and beans in their fields. It is not unusual for such crops to be grown in the project area.  
16 However, it is generally not in the quantities grown during the 2005 season. We also had two  
17 farmers who informed us that they had moved their sugar beet and potato crops out of the  
18 District. The Beet grower planted on farms irrigated with groundwater where he could be sure  
19 that he got enough water, I am not certain where the Potato crop was grown. They knew that  
20 they couldn't grow the sugar beets or potatoes on Milner's project lands with the anticipated  
21 water supply. In the early season, we had anticipated deliveries of only 2.7 acre-feet to the acre  
22 for "old" lands, and less than 1.0 acre foot to the acre for "new" lands, until we received the  
23 record spring rains.

24