



Aberdeen-Springfield Canal Company

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January 18, 2017

Lyle Swank
Watermaster, Water District 1
900 North Skyline Dr., Suite A
Idaho Falls, ID 83402

Re: Inequitable distribution of natural flow in the Shelley to At Blackfoot reach of the Snake River

Lyle,

During the Water District 1 Accounting Model review process we became aware of an inequitable accounting procedure that must be changed. Specifically, the computation of natural flow for the Shelley to At Blackfoot reach that is diminished by loss in the At Blackfoot to Near Blackfoot reach. River losses in the reach below our reach of the river are deducted from the natural flow available to us, even though gains in the reach below us are credited to junior, downstream appropriators. In some years, this has resulted in a diminishment of our available natural flow by as much as 65,000 acre-feet in a single irrigation year. This practice is wholly inequitable and has resulted in the irrigation entities in the Shelley to At Blackfoot reach essentially subsidizing the junior water rights of entities downstream in the amount of hundreds of thousands of acre-feet of water. As such, we feel it does not meet the responsibility of equitable distribution of water resources and further that it violates I.C. 42-607. Specifically:

"It shall be the duty of said watermaster to distribute the waters of the public stream, streams or water supply, comprising a water district, among the several ditches taking water therefrom according to the prior rights of each respectively,..."

We therefore demand that from this coming water season (2017) and on into perpetuity you no longer deduct river losses experienced in the reach below us from our natural flow availability and account for those losses in the next downstream reach. Alternatively, if you choose to continue to deduct river losses in the At Blackfoot to Near Blackfoot reach from natural flow available to the Shelley to At Blackfoot reach, we demand that any gains in that reach should be added to the natural flow availability in our reach.

Respectfully,

Steven T. Howser,
General Manager, Watermaster for Aberdeen-Springfield Canal Company
Special Deputy Watermaster for Water District 1

Paul Schneider*
President of People's Canal Company

Keith Salisbury*
President of Riverside Canal Company

Alan Stander*
President of Wearywick Canal Company

Nick Christensen*
President of Parsons Ditch Company

*Electronically submitted, signatures will follow via US Mail.