

AUG 27 2019

DEPARTMENT OF
WATER RESOURCES

United States Department of the Interior

OFFICE OF THE SOLICITOR
Pacific Northwest Region, Boise Field Office
960 S Broadway Avenue, Suite 400
Boise, Idaho 83706-6240

August 26, 2019

Mr. Gary Spackman
Director
Idaho Department of Water Resources
322 East Front Street, Suite 648
Boise, Idaho 83702-7371

Subject: Docket No. P-WRA-2017-002

Dear Director Spackman:

I write today on behalf of the Bureau of Reclamation concerning the above referenced contested case proceeding before the Idaho Department of Water Resources. This letter supplements my correspondence dated July 8, 2019.

Reclamation understands that the parties to the contested case will move the Department for an order approving a revised interim stipulation and staying proceedings. This revised interim stipulation would establish October 1 as the reset date for water right accounting upstream of Milner Dam for the upcoming water year. Unlike the prior stipulation, it would not limit diversions under Reclamation's Lake Walcott storage right to 2,500 cubic feet per second from September 15 to October 15. As before, the parties to the administrative proceeding have agreed that the stipulation would operate only on an interim basis while the contested case is stayed and until a judicial order is entered to resolve the ongoing dispute.

Reclamation's repayment contracts with water users define the reservoir system "storage season" to mean "the period beginning October 1 of one year and ending during the next year when, as to the particular reservoir, no more water is available for storage." In the absence of an appropriate alternative date, Reclamation would rely on this contractual term to establish a reset date. Accordingly, Reclamation does not object to interim administration according to an October 1 reset date under the proposed stipulation during the coming water year.

Sincerely,

Jeremiah I. Williamson

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Cc: Contested case parties