

DEPARTMENT OF
WATER RESOURCES

COPY

of water to NMID's landowners, including the land owned by Brad Janicek and/or Janicek Properties, LLC (hereinafter "Janicek").

3. Janicek's property is located within the boundaries of NMID and has been apportioned benefits by NMID, including drainage benefits. NMID delivers irrigation water to Janicek's property via a NMID facility known as the Kennedy Lateral. The Purdam Drain also courses through Janicek's property. The Purdam Drain begins less than one mile to the east of Janicek's property and is located below NMID's main delivery canal known as the Ridenbaugh Canal.

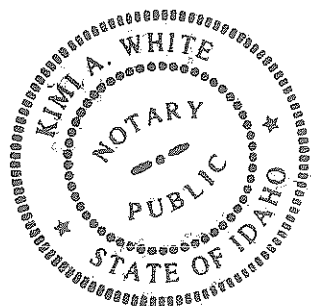
4. The Purdam Drain is a drain that is operated and maintained by NMID. Most of NMID's drainage system was constructed by the United States Bureau of Reclamation (BOR) pursuant to a contract in 1915. NMID's operation and maintenance includes cleaning, maintaining, repairing the Purdam Drain and NMID has done so over the years where the Purdam Drain courses through Janicek's property.

5. NMID also uses the Purdam Drain to deliver water to its landowners. NMID has a pump station, operated and owned by NMID, downstream of Janicek's property. NMID has two pumps that recover water from the Purdam Drain and divert it back to the Kennedy Lateral to provide water to NMID's landowners. NMID has another pump that delivers pressure irrigation water to St. James Place Subdivision. In addition, landowners within NMID have obtained NMID's permission over the years to pump water from the Purdam Drain as supplement water during short or low water years.

DATED this 28 day, of February, 2008.

John P. Anderson
John P. Anderson

Sworn to and subscribed before me this 28th day of February, 2008.



Kim A. White
Notary Public for Idaho
Residing in Bise, Idaho
My Commission Expires: 04/01/10

CERTIFICATE OF SERVICE

I hereby certify that on the 13th day of March, 2008, a true and correct copy of the foregoing was served upon all parties listed below by:

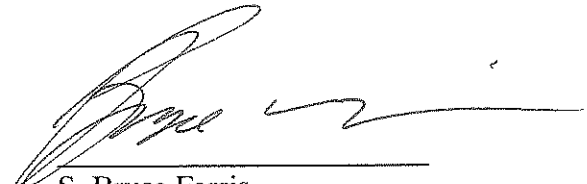
☒ U. S. mail, postage prepaid
☐ hand delivery

☐ express mail
☐ facsimile

Janicek Properties, LLC
c/o Michael P. Lawrence
Givens Pursley, LLP
601 W. Bannock Street
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USDI Bureau of Reclamation
Represented by:
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Environment & Natural Resources
550 West Fort Street, MSC 033
Boise, Idaho 83724

Director of IDWR
P.O. Box 83720
Boise, Idaho 83720-0098


S. Bryce Farris