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DEPARTMENT OF  
WATER RESOURCES

# GIVENS PURSLEY LLP

Attorneys and Counselors at Law

601 W. Bannock Street  
PO Box 2720  
Boise, ID 83701  
Telephone: 208-388-1200  
Facsimile: 208-388-1300  
www.givenspursley.com

Christopher H. Meyer  
208-388-1236  
chrismeyer@givenspursley.com

Gary G. Allen  
Charlie S. Baser  
Christopher J. Beeson  
Jason J. Blakley  
Clint R. Bolinder  
Jeff W. Bower  
Preston N. Carter  
Jeremy C. Chou  
Michael C. Creamer  
Amber N. Dina  
Bradley J. Dixon  
Thomas E. Dvorak  
Debra Kristensen Grasham  
Donald Z. Gray  
Alex J. Gross  
Brian J. Holleran

Kersti H. Kennedy  
Neal A. Koskella  
Michael P. Lawrence  
Franklin G. Lee  
David R. Lombardi  
Kimberly D. Maloney  
Kenneth R. McClure  
Kelly Greene McConnell  
Alex P. McLaughlin  
Melodie A. McQuade  
Christopher H. Meyer  
L. Edward Miller  
Judson B. Montgomery  
Deborah E. Nelson  
W. Hugh O'Riordan, LL.M.  
Samuel F. Parry

Randall A. Peterman  
Jack W. Relf  
Blake W. Ringer  
Michael O. Roe  
Robert B. White

William C. Cole (Of Counsel)

Kenneth L. Pursley (1940-2015)  
James A. McClure (1924-2011)  
Raymond D. Givens (1917-2008)

November 2, 2020

Daniel A. Nelson  
Water Right Analyst 3  
Idaho Department of Water Resources  
322 E Front Street  
Boise, ID 83702

Re: North Kootenai Water and Sewer District –  
Licensing of Permit Nos. 95-9129, 95-9244, and 95-10019

Dear Dan:

Thank you for your letter dated 10/22/2020 (sent on 10/21/2020) and your helpful follow-up email of 10/21/2020 in response to my inquiries.

We have completed our review of the draft licenses you provided for the above-captioned water rights. Sorry this took so long. There have been a lot of eyes on it. Bottom line: We concur with your drafts in all respects.

The only loose end that we should pin down is the accounting system. I am comfortable doing that informally and without revision to the draft licenses you proposed.

It is our understanding that the Department's accounting system will allocate total ground water diversions (reported via the SCADA system) proportionately (i.e., based on the relative authorized diversion rate of each water right) to each ground water right then in priority irrespective of the right's priority date.

Your cover letter dated 10/22/2020 (item "A2" on page 2) could be read to say that water diversions will not be allocated proportionately, but instead will be allocated to the most senior rights first. In response to my inquiry, your email of 10/21/2020 referred me to a letter of

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Shelley Keen to NKWSD dated 6/4/2014. But that letter does not describe an accounting system. Indeed, it was sent prior to IDWR's agreement that APODs would be allowed at all.

In other communications, however, IDWR has confirmed that it will employ an accounting system based on proportionate allocation. A spreadsheet to this effect was shared with NKWSD on 3/22/2016. The proportionate allocation was described in the statement on page 2 of Shelley Keen's memo to the file of 9/6/2016, and again in the email from Jeff Peppersack to me dated 10/12/2017.

I would appreciate receiving confirmation that we are on the same page here—i.e., that the accounting system will be based on a proportionate allocation as described above (and in Mr. Keen's 9/6/2016 memo and Mr. Peppersack's 10/12/2017 email). As I said, I do not see a need to change or add to the license conditions (which do not address the accounting system).

Subject to this confirmation, please proceed with the licensing of these rights. I am enclosing a check in the amount of \$300.00 to cover the fee for each of the three licensing amendments.

Let me conclude by thanking you and each of the members of IDWR's staff who have worked so hard over the years to help us through this process. We very much look forward to continued cooperation, and pledge our cooperation as well.

Sincerely,



Christopher H. Meyer

Encl: Check payable to IDWR for \$300.00

cc: Shelley Keen, Doug Jones, Angela Grimm, Manuel Rauhut, and Craig Saxton, IDWR  
Jessie Camburn, District Manager, NKWSD  
Robin Potts, Administrative Assistant, NKWSD  
Necia Maiani and Ashley Williams, Welch Comer Engineers  
Brian M. Werst, Witherspoon Brajcich McPhee, PLLC (corporate counsel)