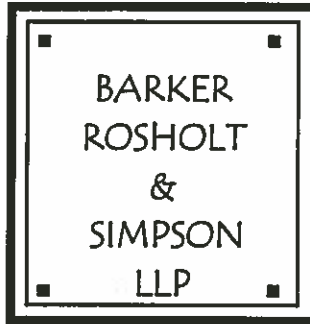


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March 3, 2017

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MAR 06 2017

Department of Water Resources
Eastern Region

James Cefalo
Idaho Department of Water Resources
900 N. Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

RE: *Hunter Transfer Nos. 80292 & 81293*

Mr. Cefalo:

I am sending this letter on behalf of the Surface Water Coalition. Kent Fletcher, who also represents members of the Coalition has reviewed and approved of this letter.

The February 6, 2017 *Notice of Hearing & Discovery/Disclosure Order* set a deadline of March 3, 2017 for the parties to notify the Department of topics and questions to be answered by Department staff. The Department will then identify the employee(s) best suited to address those topics and questions and make the employee(s) available for deposition and/or testimony at hearing.

The Coalition joins in the topics identified in Mr. Budge's letter, dated March 3, 2017. In addition, the Coalition identifies the following topics and questions:

1. The transfer memorandum provides that supplemental water rights may be changed to primary rights if the water user shows 5-years of use records in the transfer process. What is the basis for this policy? How does the Department apply this policy?
2. If the Department does allow a supplemental right to be changed to a primary right, what becomes of the status of the former primary right?
3. If both rights become primary and are used to irrigate different acres, does that constitute an expansion of the original water rights?
4. The difference between an "explanatory" remark and a "condition" on a water right.

James Cefalo
March 3, 2017
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Please identify the appropriate Department employee(s) by the end of March so that depositions may be scheduled in April.

Sincerely,

BARKER ROSHOLT & SIMPSON LLP



Paul L. Arrington

cc: TJ Budge (email only)
Rob Harris (email only)
Kent Fletcher (email only)