

*John A. Rosholt
Albert P. Barker
John K. Simpson
Travis L. Thompson
Shelley M. Davis
Paul L. Arrington
Scott A. Magnuson*



Travis L. Thompson
tlt@idahowaters.com

163 Second Ave. West
P.O. Box 63
Twin Falls, ID 83303-0063
(208) 733-0700 telephone
(208) 735-2444 facsimile

1010 W. Jefferson St., Suite 102
P.O. Box 2139
Boise, ID 83701-2139
(208) 336-0700 telephone
(208) 344-6034 facsimile
brs@idahowaters.com

via E-mail
RECEIVED

AUG 26 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

August 26, 2016

VIA EMAIL ONLY

Mr. Corey Skinner
IDWR – Southern Region
650 Addison Ave. West, Suite 500
Twin Falls, Idaho 83301-5858

Re: Application for Extension of Time for 37-444 and 37-7636A

Dear Corey:

This letter responds to Mr. Craig Hobdey's letter of August 10, 2016 on behalf of the Big Wood Canal Company in this matter. I discussed the matter with Craig prior to receiving his letter and have the following points of clarification regarding his client's proposed withdrawal of the protest.

First, Mr. Cash has plans to irrigate approximately 352.4 acres in total from water rights 37-444 (Camas Creek, 2 cfs), 37-2541 (Groundwater 0.2 cfs), and 37-7636A (Groundwater 2.4 cfs). The estimated acreage was identified based upon a plan to implement if the request for extension is granted. I have attached a draft map that identifies the areas in general (acres identified as "29" and "33" in far northwest corner irrigated with Mormon Reservoir water, small pivot listed as "18" in northeast corner of Section 27 should be "30" and changed to a half-pivot).

We will not know the exact total acreage until the extension is granted and the project is implemented on the ground. However, Mr. Cash can represent that the map as corrected by the information provided to Mr. Hobdey is what is planned and would agree to it. Rather than identify an exact acreage that may or may not be accurate at this time, we would prefer to have the extension granted for a total acreage "not to exceed 360 acres." Again, we believe the total irrigated acres will be somewhere between 350 and 360 acres.

Mr. Corey Skinner
August 26, 2016
Page - 2

Second, Mr. Cash will abide by what is required by IDWR and/or the local watermaster for water measurement purposes. It is our understanding the local water district may be in the process of requiring certain measurement devices beginning next year.

Finally, Mr. Cash does not agree that the total acre-feet should be reduced to 373.4 afa. It appears there is some confusion in the review of Doug Jones' November 2015 memo. In that memo Mr. Jones identified 373.4 afa as the volume relating to the acres that would need forfeiture protection through the extension (i.e. 155.6 acres). The volume was not identified as a limit on all irrigated acres. Accordingly, Mr. Cash would agree that he is limited by what Camas Creek yields on a given year for water right 37-444 (which has no volume limitation), and to 953 afa total for groundwater rights 37-2541 and 37-7636A (as identified by the SRBA partial decrees).

We believe the above conditions can be included on the order granting the request for extension. If you could prepare a draft for circulation to Craig and myself perhaps we could then review and have a conference call to finalize.

If you have any questions please call me at 733-0700.

Sincerely,

BARKER ROSHOLT & SIMPSON LLP



Travis L. Thompson

Enc.

cc: Phil Cash
Craig Hobdey c/o BWCC

