



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 North Skyline Drive, Suite A Idaho Falls Idaho 83402-1718

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C.L. "BUTCH" OTTER - Governor
Gary Spackman - IDWR Director

March 9, 2015

Aberdeen Springfield Canal Company
Steve Howser, General Manager
PO Box 857
Aberdeen, ID 83210

RE: Delivery of Water via Danielson Creek

Dear Mr. Howser:

I recently received your notice that ASCC intends to use Danielson creek to convey water from its existing canal system to Dan Grover, a shareholder in the company. Please let this letter confirm that ASCC may use Danielson Creek to deliver water to Mr. Grover. This type of delivery is contemplated by Idaho Code § 42-105.

As noted in Section 42-105, using a natural watercourse as a conveyance channel comes with certain limitations. In this case, I feel it is appropriate to provide the following limitations:

1. If delivery disputes arise with existing water users on Danielson Creek, ASCC or Mr. Grover will be required to install measuring devices or flow meters at the points of injection and re-diversion. Delivery disputes may also result in a conveyance loss being applied between the point of injection and re-diversion.
2. If Water District 1 incurs additional regulation costs to resolve delivery disputes on Danielson Creek associated with this proposal, ASCC may be assessed for the delivery of water to Mr. Grover.
3. Mr. Grover's right to use water is entirely dependent on ASCC's underlying water rights. Mr. Grover is not authorized to divert more water or irrigate more ground than is authorized by his existing ASCC shares.
4. Prior to delivering water through Danielson Creek, ASCC must identify the exact point of injection that will be used.

Thank you for your willingness to work with Mr. Grover through this process. Feel free if you have any questions.

Sincerely,

James Cefalo

Cc: Lyle Swank, WD1
Dan Grover (817 South 1900 West, Springfield, ID 83277)



Aberdeen-Springfield Canal Company

144 South Main

PO BOX 857

Aberdeen, ID 83210

www.ascanal.org

Tel (208) 397-4192 Fax (208) 397-4510

March 5, 2015

Re: Delivery to Dan Grover from Aberdeen-Springfield Canal via Danielson Creek

To Whom It May Concern:

After notification from the Idaho Department of Water Resources that Aberdeen-Springfield Canal Company may deliver water to its shareholder (Dan Grover, ASCC Parcel #128) via Danielson Creek, the Board of Directors has agreed to deliver water to Danielson Creek at one or more locations, including Mr. Grover's ASCC head gate C-4-8, ASCC's 'C' Lateral spill, and (pending right of way agreements) a new head gate located on the Company's 'C3' Lateral. All of these points of delivery are capable of delivering water to Danielson Creek upstream of Mr. Grover's proposed point of diversion on Danielson Creek.

If you have any questions please do not hesitate to call me at the office (208-397-4192) or on my cell phone (208-221-4192).

Thank you,

Steven T. Howser,
General Manager