

## Skaggs, Pam

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**From:** Baxter, Garrick  
**Sent:** Monday, April 07, 2014 4:14 PM  
**To:** Fritz Haemerle  
**Cc:** Skaggs, Pam  
**Subject:** RE: Northridge II Water Bank Objection

Fritz,

Thanks for taking the time to discuss the Northridge II water bank lease with me this afternoon. As I explained to you on the phone, I had a chance to talk with Pam this afternoon. In your letter of February 20, 2014, you request time to respond to Condition #3 of Attachment A to the contract. The Department is willing to give you time to respond to the condition and is willing to revisit the condition if necessary. In our conversation today, you mentioned examples that you are aware of where the Department has allowed the transfer of irrigation water rights in the Big Wood Valley that are also being served by municipal water. Those examples might be helpful when discussing the issue, so if you could provide me specifics, I would appreciate it. Also, as I explained to you, there might be an argument that so long as the City of Hailey has room under its existing municipal water right to serve the property, there is no enlargement to the resource because the City can fully grow into its municipal water rights. If you have information related to the City's water right portfolio and whether the City has unused capacity under its municipal water rights, that information should also be provided. Finally, if there is any other argument that you believe the Department should consider related to the enlargement issue, please provide that information as well. I realize that you are anxious to get this issue resolved. This issue has my attention and the sooner you can provide this information, the quicker we can get this issue resolved. I look forward to your response. Let me know if you have any questions.

Garrick

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**From:** Fritz Haemerle [<mailto:fxh@haemlaw.com>]  
**Sent:** Thursday, February 20, 2014 7:33 AM  
**To:** Baxter, Garrick  
**Subject:** Northridge II Water Bank Objection

Garrick:

Please find attached my Protest letter. Please advise as to how the Department wishes to proceed.

Thank you.

Fritz X. Haemmerle  
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