

Cox, Sharla

Subject: FW: Updated Grand Teton Canal Company Pond Accounting
Attachments: GTCC_Accounting_Dec11.pdf; Surface Water Trace .zip

From: Rob Harris [<mailto:rharris@holdenlegal.com>]
Sent: Tuesday, December 13, 2011 6:09 PM
To: Howard, Matt J; T. J. Budge; Jerry Rigby; Cefalo, James
Cc: McGarry, Elizabeth G; sarah@tetonwater.org; why@atcnet.net
Subject: Updated Grand Teton Canal Company Pond Accounting

All:

Attached is a revised spreadsheet and GIS with the final year end accounting for the Grand Teton Canal Company as required in the approval for Transfer No. 76705, which allowed for the construction and filling of ponds. As you can see, with the aid of the new 2011 photo, we now can submit a GIS map and have a better accounting of the surface area of the ponds covered under this matter, and the pond acreages now totals 25.8 acres. The map was prepared by Rendezvous Engineering. In that regard, we have attached a revised spreadsheet with this acreage, but you can see that there still remains an over-mitigation for the ponds. We have excluded the connecting ditches to the ponds that are not deep and only serve to connect the ponds.

In my prior email from last month, I noted that there remains only one shareholder that has constructed ponds pursuant to this transfer (Huntsman Springs). We anticipate one more pond being constructed next year, but believe that Huntsman Springs will likely not construct any more ponds in the foreseeable future after that. We are not aware of any other pond development plans at this point.

As you all are likely aware, this was a high water year. Early in the season, there was flooding in the Teton Basin, and Grand Teton Canal Company was requested by Water District 01 and the City of Driggs to divert some of the high runoff into their canals in order to partially control the flooding. The ponds were filled during this time period. This was also the time period that water was spilling past Milner Dam, and the excess flows that GTCC diverted allowed for recharge into the regional aquifer, which is also helpful. Given the high flows, as well as the over-mitigation, this should not have had any negative impact on water supplies of the BOR or Fremont-Madison.

If you have any questions, let me know. We apologize for the delay in getting the map to each of you.

Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, PLLC
1000 Riverwalk Drive, Suite 200
P.O. Box 50130
Idaho Falls, ID 83405-0130
Phone: (208) 523-0620
Fax: (208) 523-9518
E-Mail: rharris@holdenlegal.com

Confidentiality Notice: The information contained in this electronic e-mail and any accompanying attachments, all of which may be confidential and/or privileged, is intended only for use by the person or entity to whom it is addressed. If you are not the intended recipient, any unauthorized use, disclosure or copying of this e-mail and its contents is strictly prohibited and may be unlawful. If you are not the intended recipient, please immediately notify the sender by return e-mail and delete the original message and all copies from your system. Thank you.

Internal Revenue Service Circular 230 Disclosure: Please note that any discussion of or advice regarding United States tax matters contained herein (including any attachments hereto) does not meet the requirements necessary to be a "covered opinion" as defined in Internal Revenue Service Circular

