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DEPARTMENT OF WATER RESOURCES

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April 25, 2008

Michele Edl
Water Right Engineer
Idaho Department of Water Resources
322 E. Front Street
P.O. Box 83720
Boise, Idaho 83720-0098

Re: Permit 63-31183 Meeting of April 16, 2008

Dear Michele,

Thank you for meeting with me and John Chapman to discuss the information contained in your analysis of the approved Request for Extension of Time for the above noted Permit. I have taken the liberty of generating some minutes which I hope accurately describe the significant points resulting from our discussion. Please review the enclosed information and let me know if you feel any changes are necessary. Micron would appreciate inclusion of a final draft of these minutes in the Permit folder for Permit 63-31183 to memorialize our mutual agreement and understanding of the specific requirements of the Permit conditions which we discussed.

Again, thank you for your time and attention to this matter. I look forward to hearing from you in the near future.

Marty Lindgren

A handwritten signature in cursive script that reads "Marty Lindgren".

Water Services Manager
Micron Technology, Inc.
Boise, Idaho

Minutes from 4/16/2008 Meeting at the IDWR offices

Attendees:

John Chapman - Micron Technology, Inc.
Marty Lindgren - Micron Technology, Inc.
Helen Harrington - IDWR
Lin Campbell – IDWR
Michele Edl – IDWR

The purpose of the meeting was to discuss Idaho Department of Water Resources' (IDWR) approval and response to Micron's Request for Extension of Time associated with Water Right Permit No. 63-31183.

John Chapman began the meeting by summarizing the history of the permit. He explained that Micron believed requirements of the permit were being met based on discussions with IDWR personnel through the life of the permit. Helen Harrington concurred that Micron has been very involved with the staff at IDWR since before this Permit was issued and that Steve Lester was now the primary contact at the regional office. Helen also believed there was an understanding between Micron and IDWR with regard to compliance with Permit Conditions. Helen also felt the information required to meet the conditions of the Permit were provided by Micron in multiple past submittals to IDWR.

Michele Edl and Helen discussed and agreed that the information needed was already in IDWR's possession in various files, but perhaps some consolidation of information for the Water Rights Section files should be summarized for the Permit file. Michele suggested that data should be presented differently for the different offices within IDWR. John asked what the Department would like Micron to do to support this effort. Most of the discussion centered on Permit 63-31183 Condition 9 which requires a comparison of aquifer levels to recharge/recovery volumes in the area of the project, though specific format, submittal date or recipient are not addressed. Helen and Michele agreed that a consolidated graph of 4 local area monitoring well levels monitored by Micron, graphed together with Micron recharge and recovery volumes would meet Michele's expectations. John and Helen suggested that the Deep and Shallow Micron Observation Wells, the Micron Test Well and the Columbia Test Well annual hydrographs combined with the Micron recharge and diversion volumes be consolidated on a common graph with cover describing Micron's analysis of water level responses be submitted on March 15th each subsequent year to coincide with annual SEBGWMA Diversion Reporting. Marty agreed to develop and submit a Draft of this graph during the week of 4/21/08 for review and comment by the department. Michele agreed that going forward this graph will be submitted annually by March 15th for the previous calendar year to satisfy the requirements of Condition 9 in the Permit, contingent upon approval by Michele's superiors.

Further discussion initiated by John was in regard to level monitoring of Micron Production Well 4. Michele had pointed out in her memo that the SPF Water (SPF) report supporting the Request for Extension of Time recommended that level monitoring be restored for well 4, however no action was taken. John explained that the SPF report contains an ambiguity we should have clarified. Level monitoring capability in well 4 was damaged during the last installation of the pump and motor and can not be repaired until the next time the pump and column are removed. It was explained that even if monitoring were in place, this pump is never intentionally shut down, so only dynamic levels could be measured which change frequently due to the variable operation of the well pumping system. Michele understood and is not concerned with replacement of this monitoring.

John summarized the meeting by reviewing the various points of Michele's Memo dated March 20th, 2008 and confirming that:

- Micron believed that all Conditions for Permit 63-31183 were being met based on discussions with various Department personnel.
- Data under condition 9 is in the possession of the Department.
- Monitoring of the water level in Micron Well 4 is not "key" to Permit 63-31183.
- The availability of SCADA information on well diversion volumes adequately addresses the concern over flow totalizer operation.
- Annual submittal of a one page chart with cover letter as outlined above will be considered acceptable for meeting Water Right Permit 63-31183 condition 9 going forward.
- Michele will contact Steve Lester at the Western Regional Office to have the Water Rights Section added to the distribution list for the SEBGWMA annual report to the Director of IDWR for inclusion in the Permit file.

Finally a tour of Micron's Aquifer Recharge and Recovery Project by IDWR staff was discussed. Michele and Marty will work together to determine a good time for a tour schedule and roster. Details will be finalized via e-mail.