



State of Idaho

DEPARTMENT OF WATER RESOURCES

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

February 5, 2020

Chris Bromley
Attorney for Fish Creek Irrigation District
380 S. 4th St., Ste 103
Boise, ID 83702

RE: Removal of TNC Structures in East Fork Fish Creek; Your Letter Dated 1/29/2020

Dear Mr. Bromley,

I am in receipt of your letter dated January 29, 2020 regarding my correspondence to you on December 2, 2019 extending the deadline for the Water District 37U watermaster to coordinate the removal of 11 man-made structures installed in East Fork Fish Creek by The Nature Conservancy ("TNC") from December 2, 2019 to February 4, 2020.

Your latest letter asks the Idaho Department of Water Resources ("IDWR") to "move the 'removal' deadline from February 4, 2020 to February 25, 2020. You state in your letter that "additional time is still needed to reach a resolution" between your client and TNC" I responded to your letter on January 29, 2020 via email and suggested the parties consider extending the deadline to April 1, 2020 so there is sufficient time for the parties to reach resolution and because irrigation will not likely commence in that area until after April 1. You responded to me by email on February 4, 2020 and advised that the parties had a productive meeting on February 3rd. You further advised that you were authorized to request an extension of the 'removal' deadline to April 1, 2020.

IDWR grants the request to delay removal of the 11 structures from February 4, 2020 to April 1, 2020. By copy of this letter to watermaster Jerry Weaver, IDWR hereby instructs the watermaster to delay coordination of removal of the 11 structures to April 1, 2020.

Once again, IDWR appreciates the time and effort expended by you, FCID and TNC towards resolving this matter.

Sincerely,

Tim Luke
Water Compliance Bureau

cc: Jerry Weaver, WD37U Watermaster
Mark Davidson, TNC
Charles Brockway Jr., Brockway Engineering
Gary Spackman, Mat Weaver, Shelley Keen, Aaron Golart, IDWR State Office
Nathan Erickson and Corey Skinner, IDWR Southern Region
Garrick Baxter, Idaho Deputy Attorney General - IDWR

Shaul, Sarah

From: Luke, Tim
Sent: Wednesday, February 5, 2020 10:09 AM
To: Chris Bromley
Cc: 'Mark Davidson'; 'Lacee Peterson'; 'Charles G. Brockway'; Erickson, Nathan; Skinner, Corey; Keen, Shelley; Weaver, Mathew; Spackman, Gary; Baxter, Garrick; Shaul, Sarah; Tess O'Sullivan
Subject: BDA Removal Deadline Extension - EF Fish CK
Attachments: Fish Creek BDA Ltr to Bromley_02052020.pdf

Chris,

Please find attached a letter extending the deadline for removal of 11 BDA structures on East Fork Fish Creek from February 4, 2020 to April 1, 2020. A hard copy of this letter will be sent to WD37U watermaster Jerry Weaver. By copy of this email to Lacee Peterson, WD37U secretary, I am asking that she deliver this letter immediately to Mr. Weaver since he does not have email access.

Thanks again for assisting with the ongoing coordination between your client, Fish Creek Irrigation District, and The Nature Conservancy, to resolve the concerns regarding BDA installations on East Fork Fish Creek.

Regards,

*Tim Luke
Water Compliance Bureau Chief
Idaho Department of Water Resources
322 E Front St, PO Box 83720
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208-287-4959 (office)*