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October 7, 2011

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*Via Electronic Mail [dspringmeyer@wrslawyers.com](mailto:dspringmeyer@wrslawyers.com)*

Don Springmeyer  
Wolf Rifkin Shapiro Schulman & Rabkin LLP  
3556 E. Russell Road, 2nd Floor  
Las Vegas, Nevada 89120

Re: **Data Information Request to Walker River Irrigation District in Connection  
With National Fish and Wildlife Foundation Change Application No. 80700  
Our File No. 1709.0239**

Dear Don:

In connection with the September 2, 2011 data request you made on behalf of the National Fish and Wildlife Foundation ("NFWF"), it is my understanding that the model, or Decision Support Tool ("DST/Model") being developed by UNR-DRI, has a monthly time step. The Walker River Irrigation District's (the "District") response to your data request of September 2, 2011, which is set forth below, is based upon that assumption. As a result, the District has focused its attention and this response to information which is monthly information.

In addition, until recently, it was not clear to me precisely what information UNR-DRI already has with respect to Certificate Water and/or Excess Water<sup>1</sup> for the period 1996 through 2006. I am now informed that the information which UNR-DRI has for that time period for Permit Water is annual information. The District's response is organized around the data requests in your September 2, 2011 letter.

<sup>1</sup> Certificate Water is water diverted under Nevada Certificates of Appropriation Nos. 8859 and 8860 held by the District. Excess Water is water made available under the 1953 Rules and Regulations for the Distribution of Water on the Walker River System as approved by the Walker River Court. Sometimes Certificate Water and/or Excess Water is also referred to as "flood water." The records which are discussed in 1 below refer to Certificate Water and/or Excess Water as "Permit Water." This letter therefore refers to "Permit Water."

- 1. Daily (if available) for monthly floodwater diversions (i.e., Certificate Water and/or Excess Water as/when applicable) by ditch and point of diversion for the Years 1996 through 2006 and 2007 through 2010.**

The District has in hard copy monthly information concerning diversions by ditch with respect to "Decree", "Storage", and "Permit" water for the period 1996 through 2008. This information is sorted by ditch. The District has in electronic format monthly information concerning diversions by ditch with respect to Decree, Storage and Permit Water. This information is also sorted by ditch.

The District will provide the hard copy information for 1996 through 2008 and the electronic information for 2009 and 2010.

- 2. Daily (if available) or monthly diversion data for decree and storage water for years 2007-2010.**

Please see the response to item 1 above.

- 3. Monthly and annual totals of apportioned storage water change approvals (i.e., both "transfers in" and "transfers out") under District Regulation No. 7 by ditch and POD for the same years as flood water (1996-2010).**

The monthly information for "Storage" being provided under 1 above includes the results of any transfers in or out. However, it does not identify a transfer in, or a transfer out. Moreover, the District does not understand how this information could be used in the DST/Model even if it was readily available.

The District does not have this information readily available. Records of temporary changes are not recorded by ditch. These records also do not include the actual date transferred water was actually delivered. Any effort to reconstruct the information you request from other records would be very time consuming, and its accuracy would be questionable at best.

- 4. A full accounting of decree and apportioned storage water rights by ditch and point of diversion, including acres and CFS of natural flow decree water rights, acres and AF of apportioned supplemental storage water rights and acres and AF of apportioned new land storage rights. This was clarified to request what "amounts to an aggregated water card that includes (a) natural flow decree water rights, including acres and cfs by date of priority and total; (b) supplemental storage water rights, including apportioned acres and acre feet by date of priority and total; and (c) new land storage water rights, including apportioned acres and acre feet." This was further clarified to also request that Decree acres be matched with the .012 CFS or .016 CFS flow rate per acre, and that New Land acres be matched with the 1.5444 AF, or 2.0592 AF per acre.**

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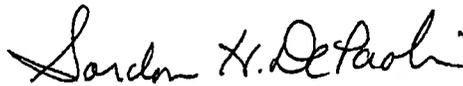
Information which the District has which may be related to this request are three sets of electronic information. One is a listing of users with Decree water rights in cubic feet per second and by ditch. Another is a list of active acres by natural flow priority. A third is a list of active cardmembers with water right acres. In addition, the District has all of the individual water cards which have this information for each user. Obviously, none of this information is sorted in the manner in which you have requested it, and it would be a very time consuming endeavor to create the information manually from the water cards.

The District will contact the computer consulting firm with which it works to determine whether that company can write a program which would sort the District's water right cards in the manner in which you have requested the information. However, even if this is possible, where a card shows multiple ditches, there could be some double counting, because at times when multiple ditches are shown on a card, it may mean that some water on that card may be diverted into either ditch.

As soon as we have heard from our consultant, we will let you know if such a program can be written with respect to this request, its cost, and the time it will take to get it done.

In the meantime, the District will provide the information referenced under 1 above directly to UNR-DRI.

Sincerely,



Gordon H. DePaoli

GHD:hd

cc: Tim Wilson, P.E., Nevada State Engineer via U.S. Mail  
Ken Spooner (kcsponer@wrid.us, kcsponer@aol.com)

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