From: Dan kelly dkelly@somachlaw.com

Subject: BBID / DWR

Date: May 20, 2015 at 9:41 PM

To: Jerry Johns ijohnswater@gmail.com



Jerry - so here's what we're thinking. 2012 is the highest year use - and probably the most accurate of BBID's use over time. We can talk about that a bit - but here's how everything would pan out if we used 2012.

If we broke it down to the proposed 75/25 split:

May - 4933af (3700 BBID / 1233 DWR)

June - 5287af (3965 BBID / 1322 DWR)

July - 5204af (3903 BBID / 1301 DWR)

Aug - 4884af (3663 BBID / 1221 DWR)

Sept - 3697af (2773 BBID / 924 DWR)

BBID would cut back to 75% as soon as we have principles of agreement executed. DWR would start picking up the other 25% and move it into San Luis (or deliver it). DWR would continue to take the 25% so long as BBID's pre-1914 rights are not curtailed.

BBID would divert the 75% figure through the irrigation season.

If DWR is able to divert the 25% into mid-July - DWR would actually come out ahead on water - and BBID is fine taking that risk in order to provide certainty for its growers for the remainder of this season. From what we heard the the SWRCB meeting today - I don't expect pre1914 curtailments of in-Delta pre-1914 rights until at least late June - but you might have a different read.

This gets us over the Mountain House hump too. The SWRCB would let us divert some water for them even with curtailments - so this deal would allow us to cover them as well.

Please let us know ASAP if DWR is interested in getting this going. It might be a first step in better long-term coordination between BBID and DWR. I hope we can make it happen.

Regards

Dan

Sent from my iPad