Date: April 3, 2014

To: Remand Parties, Application of Dike District No 12, PL12-0191

From: Hearing Examiner

Subj: Addition of Commissioner's Letter to Record of Hearing

At the remand Prehearing Conference held on January 28, 2014, the Examiner expressed his intention to seek clarification of the Remand Order herein with respect to the term "Corps hydrology."

The Commissioners responded by letter dated February 11, 2014, a copy of which was sent to the remand parties.

The Examiner hereby admits this letter to the record herein as Exhibit 39.

Wick Dufford, Hearing Examiner