

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE STATE OF IDAHO

IN THE MATTER OF	)	IN RESPONSE TO PETITION
	)	TO ESTABLISH MORATORIUM
Basin 34	)	PURSUANT TO IDAHO CODE
	)	§42-1805(7) AND RULE 7
_____	)	

The undersigned residents, landowners and users of water within Basin 34, the Big Lost River drainage basin of the State of Idaho, hereby present the following response to Petition to Establish Moratorium Pursuant to Idaho Code §42-1805(7) and Rule 7:

We first call to the attention of the Director of the Department of Water Resources the policy statement of the Idaho Legislature found in Idaho Code §42-226 (originally enacted in 1951):

The traditional policy of the State of Idaho, requiring the water resources of this State to be devoted to beneficial use in reasonable amounts through appropriation, is affirmed with respect to the groundwater resources of this State as said term is hereinafter defined and, while the doctrine of "first in time is first in right" is recognized, a reasonable exercise of this right shall not block full economic development of underground water resources. Prior appropriators of underground water shall be protected in the maintenance of reasonable groundwater pumping levels as may be established by the Director of the Department of Water Resources as herein provided . . . .

The undersigned believe this statement to be a wise and proper statement of policy for the citizens of the State of Idaho, specifically including those who reside and depend upon the water resources of Basin 34.

We have been advised that studies of the water resources within Basin 34, such as IDWR open file report, "Review of Ground-Water Conditions in the Big Lost River Valley", dated December 1982, disclose that there is still a very significant amount of water leaving the basin unused. IDWR estimates are that such discharges from Basin 34 to the Snake Plain Regional aquifer range from 227 cfs to 425 cfs.

While there can be little doubt that there is more than enough water available within Basin 34 to satisfy all uses and proposed uses, surface flows of the Big Lost River have been extremely low during the last three consecutive irrigation seasons of severe drouth. Big Lost River Basin lies within a desert area and is and has been subject to frequent and severe drouths. It is only reasonable to expect the recurrence of such conditions, including diminished surface water flows, at various times in the future. However, the solution to the reduction in surface flows, in light of the extent of available groundwater resources, is clearly not to terminate the granting and processing of applications to appropriate and to transfer groundwater. The solution is for the entire community to

undertake a cooperative effort, with appropriate participation by IDWR and the Idaho Legislature, to formulate a method for utilizing the great available reservoir of more stable underground water supplies to augment surface water flows in times of drouth.

For this community to do otherwise is to accept defeat and consign ourselves and our children to the inevitable negative impacts of a deteriorating economy. To impose a moratorium, as proposed by the petitioners, would intensify and hasten all such sad and discouraging events, perhaps to the level of a major economic disaster for the community. The imposition of the proposed moratorium would immediately result in taking several thousand acres of land in Basin 34 out of production. Besides the immediate tragic and devastating impacts upon the owners and operators of these farms and their families and employees, a significant percentage of improved property would be deleted from Butte County tax roles with all the resulting negative effects on schools, county services, and other businesses within the community.

We prefer to support and participate in all appropriate efforts to unify the community to address a positive and long lasting solution to the problem. Hence we applaud such action as that being taken by the Director of IDWR to organize a broad-based committee to study and propose alternative ways for

increasing the ability to augment and better utilize surface water supplies with the wise development of the tremendous underground water resource, at the same time providing appropriate means to mitigate the impacts on senior groundwater appropriators. We are satisfied that such an innovative and diligent focused effort is in the best interests of the community as a whole.

RESPECTFULLY signed and submitted this \_\_\_\_ day of September.

NAME	ADDRESS	DATE
<i>Steve A. Little</i>	<i>Moore Idaho</i>	
<i>Lynn G. Rothwell</i>	LYNN G. ROTHWELL <i>Darlington Id</i>	
<i>Robert S. Vaden</i>	ROBERT S. VADEN <i>Moore Idaho</i>	
<i>Leon Folkman</i>	LEON FOLKMAN <i>Arco Idaho</i>	
<i>Eric Aikele</i>	ERIC AIKELE <i>MOORE, IDAHO</i>	
<i>Helen Hansen</i>	HELEN HANSEN <i>Arco Id</i>	
<i>R. Lane Hansen</i>	R. LANE HANSEN <i>Arco Id.</i>	
<i>J. Doyle Jensen</i>	J. DOYLE JENSEN <i>Moore Idaho 10-7-89</i>	
<i>Catherine K. Jensen</i>	CATHERINE K. JENSEN <i>Moore, Idaho 10-7-89</i>	
<i>Robert D. Waddoups</i>	ROBERT D. WADDOUPS <i>Moore Idaho 10-7-89</i>	
<i>Wade Waddoups</i>	WADE WADDOUPS <i>Moore Idaho 10-7-89</i>	
<i>Seth E. Real</i>	SETH E. REAL <i>Moore Idaho 10-8-89</i>	

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RESPECTFULLY signed and submitted

Name	Address
<i>Greg Carlson</i>	GREG CARLSON <i>Idaho</i>
<i>David M. Davis</i>	DAVID M. DAVIS <i>Arco Idaho</i>
<i>Milynda Carlson</i>	MILYNDA CARLSON <i>Idaho 83225</i>
<i>Debbie Porter</i>	DEBBIE PORTER <i>Arco, Idaho</i>
<i>Marcia Schwinn</i>	MARCIA SCHWINN <i>Arco, IDAHO 10-10-89</i>
<i>Wendell Robinson</i>	WENDELL ROBINSON <i>Arco, Idaho</i>
<i>Nancy L. Carlson</i>	NANCY L. CARLSON <i>Idaho 10-10-89</i>
<i>Susan J. Coon</i>	SUSAN J. COON <i>Arco, ID 83213 10-10-89</i>
<i>George Coon</i>	GEORGE COON <i>Arco Id 83213</i>
<i>William G. Carlson</i>	WILLIAM G. CARLSON <i>Arco, Idaho 83213 10/15/89</i>
<i>Charles M. Larsen</i>	CHARLES M. LARSEN <i>Arco, Ida 83213</i>
<i>Laurene Larsen</i>	LAURENE LARSEN <i>Arco, Id. 83213</i>
<i>Darla Beard</i>	DARLA BEARD <i>Arco, ID 83213</i>

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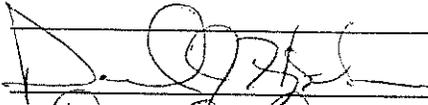
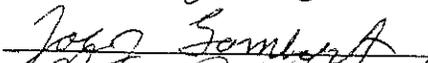
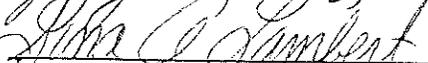
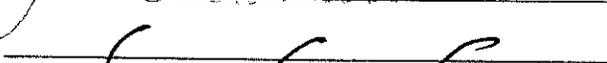
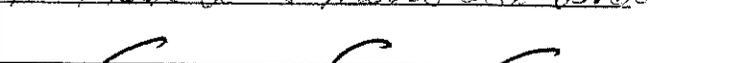
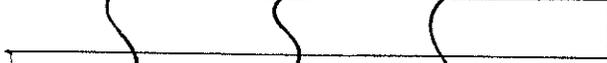
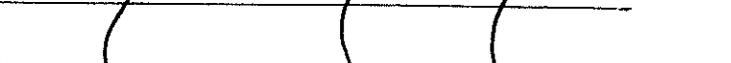
RESPECTFULLY signed and submitted

Name	Address
<i>[Signature]</i>	<i>Rt 1 Arco Idaho 12-2-89</i>
<i>Bernading L Douglas</i>	<i>Rt 1 Box 394 Arco, Id 83213</i>
<i>Donald Walker</i>	<i>P.O. Box 735 ARCO, Idaho</i>
<i>Gaith B. Blattner</i>	<i>Rt #1 Box 302 12/5/89</i>
<i>Thomas P. [Signature]</i>	<i>Rt 1 Box 509 12-8-89</i>
<i>[Signature]</i>	<i>Rt #1 Box 334 Arco Idaho 83213</i>
<i>Tom Fraughley</i>	<i>P.O. Box 177 Arco, ID 83213</i>
<i>[Signature]</i>	<i>P.O. Box 517 Arco. Id. 83213</i>
<i>Ken Fraughley</i>	<i>P.O. Box 818 Arco Id 83213</i>
<i>[Signature]</i>	<i>[Signature]</i>
<i>[Signature]</i>	<i>[Signature]</i>
<i>[Signature]</i>	<i>[Signature]</i>

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RESPECTFULLY signed and submitted

Name	Address
	Box 64 - Moore, Idaho 83255
Don A. Cibul	Box 60 - Moore, Idaho 83255
	Acres Id 83213
Blair J. Willis	Rt. 1 Box 39 Moore
Caroline Aikele	Rt. 1 Box 60 Moore
Valerie Aikele	"
	Rt. 1 box 60 A Moore
	Rt 1 Box 60 A Moore, Id 83255
	
	
	
	

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Name	Address	DATE
<i>Brook Lewis</i>	<i>Box 526 Arco, ID</i>	<i>11/30/89</i>
<i>Jim Huebner</i>	<i>RT. 1 Box 122A Moore</i>	
<i>Marlene Jensen</i>	<i>RT 1 Box 35777 one</i>	
<i>Billy J. McMurtry</i>	<i>RT#1 Box 512 ARCO ID 83213-9760</i>	
<i>Douglas R. Pearson</i>	<i>RG#1 Box 120A Moore, ID 83255</i>	
<i>Wendell Robinson</i>	<i>Box 87, Arco, Idaho 83213</i>	
<i>Janet Akles</i>	<i>Box 10 Arco, Idaho 83213</i>	1-29-90
<i>[Signature]</i>	<i>[Signature]</i>	

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RESPECTFULLY signed and submitted this \_\_\_\_ day of October.

Leon A. Thomas  
James S. Babcock  
D. Becht Beaud  
Young A. Waller

Box 823 Arco, Idaho 83213  
Box 81 Moore Idaho  
Box 523 Arco, Idaho  
Box 200 RT 1 Arco Idaho

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Arthur W. Quist

RT 1 Box 203 Arco Idh

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RESPECTFULLY signed and submitted

Name	Address
<del>James [unclear]</del>	<del>1682 [unclear] Rd [unclear] 83213</del>
Jamie Montgomery	1316 S. Front St. Arco, Id 83213
Barbara Wells	238 Louise Drive Arco, Id 83213
Evelyn Smith	435 Lost River Ave. Arco 83213
Kenneth L McAfee	P.O. Box 815, Arco, Ida 83213
Anita McAfee	Rt. 1, Box 458 Arco Idaho 83213
Darlene Jansen	871 13 of 35 777 Ave, Idaho 83255

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RESPECTFULLY signed and submitted \_\_\_\_\_

Name

Address

<del>Frank Davis</del>	<del>181 Benton Rd Arco Id 83213</del>
Robert Spraker	Box 438, Rt 1, Arco Idaho 83213 11-17-89
Josephine Spraker	Box 438, Rt 1, Arco, Id. 83213
Dean Coon	Box 446 Arco Idaho 83213 11-18-89
Bill Mancum	PO Box 452 Arco Id 83213 11/28/89
Jandra Mancum	Box 452 Arco, Id 11-29-89
Randy Pursu	Rt1 Box 121 moore Id. 11-29-89
Kirkland O'Beille	Box 91 Arco Idaho - 11-29-89

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Name	Address
Dunice Davis	1284 County Rd Arco Id 83213
Sandra Hentz	Box 125 Mackay Idaho 83251
H.C. Fletcher	Box 164 Arco Id
Jeanne M. Hansen	Rt #1 Box 3 Moore Id 83255
Paul Hurlburt	Arco Idaho -
Ralph S. Parkinson	Rt. I Box 228 Arco, Idaho 83213
Gladys K. Beebe	Arco 83213
E. Brooks Buxton	Rt I Box 231 Arco Ida.
Mary K. Buxton	Rt. 1 Box 231 Arco, Ida.
Lenora H. Luist	Rt. 1 Box 203 Arco Ida
Dane Nelson	P.O. Box 398 Mackay Id
Theida E. Parkinson	Rt 1 Box 228 Arco, Ida. 83213

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NELSON, ROSHOLT, ROBERTSON, TOLMAN & TUCKER

Chartered

ATTORNEYS AT LAW

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THOMAS G. NELSON  
JOHN A. ROSHOLT  
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JAMES C. TUCKER  
TERRY R. McDANIEL  
GARY D. SLETTE  
F. BRUCE COVINGTON  
JERRY JENSEN  
CAROLYN M. MINDER  
BRUCE M. SMITH  
G. RICHARD BEVAN  
GARY L. QUIGLEY  
TIM J. WILLIAMS  
SHARON F. DUNKIN  
JUSTIN R. SEAMONS

April 25, 1990

RECEIVED  
APR 26 1990

Mr. Keith Higginson  
Idaho Department of Water Resources  
1301 North Orchard  
Statehouse Mail  
Boise, ID 83720

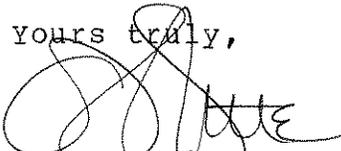
Department of Water Resources

RE: Big Lost River

Dear Keith:

In light of your action postponing the scheduled hearing on the pending applications and transfers, my clients hereby request that the Department immediately act upon their petition for moratorium submitted last year. They have worked diligently to get the Big Lost River Irrigation District functioning in a manner which more closely comports with Idaho water law, and had anticipated some parallel efforts from the Department. After spending their money for the long-awaited hearing, they were certainly disappointed by the Department's unlimited postponement of it. Given the number of supporters who signed the petition for moratorium, I certainly believe it reasonable for the Department to take action on that request within a very short time. Please advise me of your intentions at your earliest opportunity.

Yours truly,

  
Gary D. Slette

GDS/mw  
53471

cc: Governor Cecil Andrus  
Lew Rothwell  
Dale Smith  
Lawrence Babcock  
Larry Reynolds  
Chuck Brockway

Arco, Idaho  
July 31, 1989

RECEIVED  
AUG 08 1989

Idaho Water Resources  
Norm Young

Department of Water Resources

Dear Norm,

As a representative of the Big Lost River Water users, we would like to have a complete water moratorium, in water basin 34. To prevent the drilling of any more big irrigation wells until we can get a handle on things.

Enclosed is a partial list of domestic wells that have been put in new or deepened in 1988 and 1989. Some wells that were drilled in 1988 had to be deepened in 1989. Of the 95 wells listed, you will notice only five have been above the Moore Diversion.

Keith mentioned that you are now in a position to allow 20,000 acres a year to be put in production. We need this like we need a hole in the head. We have too many welfare farmers as it is.

When you take your windshield tours, you need a guide. Please feel free to call on someone that is being hurt.

They aren't 1900 water rights.

Yours truly,



Lewis Rothwell

CC: Governor Andrus  
Nelson & ~~Rashelt~~

Wells Deepened or New 1988-1989

\* Senior citizens

\*\* Below the Moore Diversion

01.	*	**	✓ Fred Waddoups	Moore, Idaho	New Well	Denning Drilling
02.	*	**	Merlin Phillips	Arco, Idaho	New Well	Denning Drilling
03.		**	Robert Waddoups	Moore, Idaho	Deepened	Denning Drilling
04.			Vernon Roche	Mackay, Idaho	New Well	Denning Drilling
05.		**	Harold Babcock	Moore, Idaho	New Well	Denning Drilling
06.			Darlington Rest Home	Darlington ID	New Well	Independent Drilling
07.		**	Marlin Felton	Arco, Idaho	New Well	Denning Drilling
08.	*	**	✓ Tony Madsen	Arco, Idaho	New Well	Denning Drilling
09.		**	✓ Duane Haney	Moore, Idaho	New Well	Denning Drilling
10.		**	Mike Harolson	Moore, Idaho	New Well	Guthrie Drilling
11.		**	David Wanstrom	Moore, Idaho	Deepened	Guthrie Drilling
12.		**	Jay Jensen	Moore, Idaho	Deepened	Independent Drilling
13.		**	Sam Jackson	Moore, Idaho	Deepened	Guthrie Drilling
14.		**	Gary Stav	Arco, Idaho	New Well	Guthrie Drilling
15.		**	Rick Williamson	Arco, Idaho	Deepened	Guthrie Drilling
16.	*	**	C. L. Reynolds	Moore, Idaho	Deepened	Guthrie Drilling
17.	*	**	✓ Ned R. Walker	Arco, Idaho	New Well	Guthrie Drilling
18.			Gordon Fulton	Dickey, Idaho	New Well	Guthrie Drilling
19.	*	**	Leonard Coon	Arco, Idaho		
20.	*	**	Betty Hult	Arco, Idaho		
21.		**	Fred Woodbridge			
22.		**	Ken Mallo	Moore, Idaho		
23.		**	David Bleack	Moore, Idaho	2 wells different Locations	
24.			Randy Purser	Moore, Idaho		
25.	*	**	Deacon Hamilton	Arco, Idaho	New Well	Cushman
26.		**	George Dillard	Arco, Idaho	Deepened	Independent
27.		**	Margaret Stonehill	Arco, Idaho	New Well	Cushman
28.		**	Nathan Carpenter	Arco, Idaho	New Well	Guthrie
29.		**	✓ Jack Harvey	Arco, Idaho	Deepened	Guthrie
30.		**	✓ Tom Sipes	Moore, Idaho	New Well	Guthrie
31.	*	**	✓ Woodrow Reynolds	Moore, Idaho	New Well	Guthrie
32.		**	✓ James Babcock	Moore, Idaho	New Well	Guthrie
33.	*	**	✓ Virgil Hail	Moore, Idaho	New Well	Guthrie
34.		**	Phil Knapp	Moore, Idaho	New Well	Guthrie
35.	*	**	Don Hymas	Moore, Idaho	New Well	Wood River
36.	*	**	Richard Beal	Moore, Idaho	New Well	"
37.		**	✓ Clayton Sullivan	Moore, Idaho	New Well	"
38.		**	✓ Dennis Maynard	Moore, Idaho	New Well	"
39.	*	**	W. T. Sowards	Moore, Idaho	New Well	"
40.		**	✓ Wayne Rathburn	Moore, Idaho	New Well	"
41.	*	**	✓ Estell Moss	Moore, Idaho	New Well	"
42.		**	✓ Gertrude Hibarger	Moore, Idaho	New Well	"
43.	*	**	W. R. Johnson	Moore, Idaho	New Well	"
44.		**	Jay Pearson	Moore, Idaho	New Well	"
45.	*	**	✓ Doyle Jensen	Moore, Idaho	New Well	"

## Wells Deepened or New 1988-1989

\* Senior Citizens \*\* Below the Moore Diversion

46.	*	**	✓ Glenn Guthrie	Moore, Idaho	New Well	Guthrie Drilling
47.		**	Dennis Batz	Moore, Idaho	New Well	Denning Drilling
48.	*	**	Alice Noble	Moore, Idaho	New Well	"
49.		**	✓ Blair Hammon	Moore, Idaho	New Well	"
50.	*	**	George Wheeler	Moore, Idaho	New Well	"
51.	*	**	Lloyd Jensen	Moore, Idaho	New Well	"
52.		**	Larry Jensen	Moore, Idaho	New Well	"
53.	*	**	✓ Curtis Willis	Moore, Idaho	New Well	"
54.	*	**	Ervin Mathews	Arco, Idaho	Deepened	Independent
55.		**	Earl Parsons	Arco, Idaho		
56.	*	**	Dr. Barter	Arco, Idaho		
57.	*	**	Leonard Price	Arco, Idaho		Findley
58.	*	**	Earl Keller	Moore, Idaho		
59.		**	Dan Coutwright	Moore, Idaho		
60.		**	Patsy Goodson	Moore, Idaho	New Well	Hawley Drilling
61.	*	**	Nora Techick	Moore, Idaho	New well	
62.		**	George J. Gilbert	Leslie, Idaho		
63.		**	Harvey Helderman	Arco, Idaho		
64.		**	Jack Youngstrom	Arco, Idaho		
65.		**	Dave Hutchison	Moore, Idaho		
66.	*	**	Arabelle Noble	Moore, Idaho		
67.		**	Raymond Noble	Moore, Idaho		
68.		**	John Johnson	Moore, Idaho		
69.		**	Rick Reynolds	Moore, Idaho		
70.		**	Bob Sherman	Arco, Idaho		
71.		**	Bill Haraldson	Moore, Idaho		
72.		**	Lloyd Bingham	Moore, Idaho		
73.	*	**	Fred Waddodups	Moore, Idaho	Deepened in '88 '89	
74.		**	Jack Sowards	Moore, Idaho		
75.		**	Seth Beal	Moore, Idaho		Guthrie
76.	*	**	George Moore	Moore, Idaho	New Well	Guthrie
77.		**	David Mull	Moore, Idaho	New Well	Guthrie
78.		**	Norman Gilbert	Leslie	New Well	
79.	*	**	Willard Sweat	Moore, Idaho	New Well	
80.		**	Frank Deary	Moore, Idaho	New Well	
81.		**	Jay Cymmings	Arco, Idaho	New Well	
82.		**	Daren Acor	Moore, Idaho	New Well	
83.		**	Craig Stewart	Moore, Idaho		
84.		**	Darrell Wheeler	Moore, Idaho	New Well	
85.		**	Charles Climer	Moore, Idaho		
86.	*	**	Warren Brown	Moore, Idaho		
87.	*	**	Lloyd Maestas	Arco, Idaho		
88.		**	Jim Hillman			
89.	*	**	Paul Snyder	Arco, Idaho		

\* \*\* John Phillips Arco, Idaho

\*\* Blaine Cummings Arco Idaho

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BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE STATE OF IDAHO

\* \* \* \* \*

In the matter of: )  
Basin 34 )  
\_\_\_\_\_ )  
PETITION TO ESTABLISH  
MORATORIUM PURSUANT  
TO IDAHO CODE §42-1805(7)  
AND RULE 7

COMES NOW the undersigned petitioners, and petition the Director of the Department of Water Resources to establish a moratorium on the issuance of, or further action on, permits or applications to appropriate groundwater in Basin 34 as depicted on the map of the Idaho Department of Water Resource's Administrative Boundaries. This petition is made in accordance with Idaho Code §42-1805(7) and Rule 7 of the Idaho Department of Water Resource's Rules and Regulations for Water Appropriation (October 1986) to protect existing vested water rights, and to insure compliance with the provisions of Chapter 2, Title 42, Idaho Code, based upon the following:

1. Petitioners ("Senior Appropriators") are the owners and holders of certain water rights entitling them to withdraw groundwater from wells in Basin 34.

2. During the past five (5) years or more, other appropriators ("Junior Appropriators") have obtained groundwater rights within Basin 34.

1           3.    The groundwater rights obtained by the Junior  
2 Appropriators have dramatically and seriously impacted the  
3 ability of the Senior Appropriators to obtain their water  
4 because of declining well levels.  Some of the wells belonging  
5 to the Petitioners have gone dry and it has been necessary for  
6 certain Petitioners to re-drill existing wells in order to  
7 obtain their required water supply.  At times, losses have  
8 occurred to Petitioners' crops because of an inability to  
9 obtain the groundwater withdrawal permitted pursuant to a  
10 license despite the fact that Petitioners' water rights are  
11 prior in time to that of the Junior Appropriators.

12           4.    Applications for new groundwater rights in Basin  
13 34 are currently pending in the offices of the Idaho Department  
14 of Water Resources.  The groundwater proposed to be extracted  
15 from any well in the Basin 34 area by any additional Junior  
16 Appropriators will reduce the water supply available for the  
17 Senior Appropriators pursuant to their existing water rights.

18           5.    In order that the Petitioners may protect their  
19 rights, it is necessary for them to seek this order granting a  
20 moratorium suspending the issuance of, or further action on,  
21 other permits or applications to appropriate groundwater within  
22 Basin 34.

23           6.    Petitioners seek an order declaring a moratorium  
24 on the issuance of, or further action on, permits or  
25 applications for groundwater rights within Basin 34.  
26 Petitioners request that the order include the cancellation or  
27 modification of permits for which proof of beneficial use has  
28

1 not yet been submitted pursuant to Rule 7, 2, 1 of the  
2 Department's rules. The basis for such order is the negative  
3 effect of consumptive groundwater withdrawals on the  
4 groundwater in the Basin that supplies the Senior  
5 Appropriators' rights.

6 7. If a hearing on this petition is required,  
7 Petitioners propose to participate by presenting evidence as  
8 they deem necessary.

9 WHEREFORE, Petitioners pray that the Idaho Department  
10 of Water Resources, pursuant to Idaho Code §42-1805(7) and  
11 Rule 7 of the Idaho Department of Water Resources Rules and  
12 Regulations for Water Appropriation, establish a moratorium  
13 suspending the further issuance of, or action on, permits or  
14 applications to appropriate groundwater within Basin 34.

15 DATED this \_\_\_\_ day of July, 1989.

16 "PETITIONERS"

17  
18 Signature: Lewis Rothwell Signature: Ned R. Walker  
Print Name: Lewis Rothwell Print Name: NED R. WALKER

19  
20 Signature: Thomas T. Hunter Signature: Rex W. Walker  
Print Name: THOMAS T. HUNTER Print Name: Rex W. Walker

21  
22  
23 Signature: Robert M. Thornton Signature: Merlin L. Phillips  
Print Name: ROBERT M. THORNTON Print Name: MERLIN L. PHILLIPS

24  
25  
26 Signature: Louis Corgatch Signature: Alvin Wheeler  
Print Name: LOUIS CORGATCH Print Name: Alvin Wheeler

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28 Signature: R Wanda Smith SIGNATURE: Clyde W. Smith  
Print Name: R WANDA SMITH PRINT NAME: CLYDE W. SMITH

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Signature: [Handwritten Signature]  
Print Name: G. T. GUTHRIE

Signature: [Handwritten Signature]  
Print Name: LORIN B. LUTSCHKE

Signature: LESTER BRASWELL  
Print Name: Lester Braswell

Signature: [Handwritten Signature]  
Print Name: EARL L. PARSONS

Signature: [Handwritten Signature]  
Print Name: Dennis L. Braswell

Signature: W. S. Dyer  
Print Name: W. S. DYER

Signature: [Handwritten Signature]  
Print Name: TRUDY BRASWELL

Signature: Claudene Dyer  
Print Name: CLAUDENE DYER

Signature: Blair Hammon  
Print Name: BLAIR HAMMON

Signature: [Handwritten Signature]  
Print Name: TERRYL ANDERSON

Signature: [Handwritten Signature]  
Print Name: Ervin Matthews

Signature: Ralph H. Hutchinson  
Print Name: Ralph Hutchinson

CERTIFICATE OF SERVICE

I hereby certify that on this 31 day of July, 1989,  
I served a copy of the foregoing PETITION TO ESTABLISH  
MORATORIUM PURSUANT TO IDAHO CODE §42-1805(7) AND RULE 7 upon:

Idaho Department of Water Resources  
1301 North Orchard  
Boise, Idaho 83706

by depositing the same in the United States mail, postage  
prepaid, in an envelope addressed as stated in the  
above-captioned heading.

[Handwritten Signature]  
One of the Petitioners  
Rt 1 Box 405  
Arco, Idaho

RECEIVED  
AUG 08 1989

Department of Water Resources

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BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE STATE OF IDAHO

\* \* \* \* \*

In the matter of: ) PETITION TO ESTABLISH  
Basin 34 ) MORATORIUM PURSUANT  
 ) TO IDAHO CODE §42-1805(7)  
 ) AND RULE 7  
 )

COMES NOW the undersigned petitioners, and petition the Director of the Department of Water Resources to establish a moratorium on the issuance of, or further action on, permits or applications to appropriate groundwater in Basin 34 as depicted on the map of the Idaho Department of Water Resource's Administrative Boundaries. This petition is made in accordance with Idaho Code §42-1805(7) and Rule 7 of the Idaho Department of Water Resource's Rules and Regulations for Water Appropriation (October 1986) to protect existing vested water rights, and to insure compliance with the provisions of Chapter 2, Title 42, Idaho Code, based upon the following:

1. Petitioners ("Senior Appropriators") are the owners and holders of certain water rights entitling them to withdraw groundwater from wells in Basin 34.
2. During the past five (5) years or more, other appropriators ("Junior Appropriators") have obtained groundwater rights within Basin 34.

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3. The groundwater rights obtained by the Junior Appropriators have dramatically and seriously impacted the ability of the Senior Appropriators to obtain their water because of declining well levels. Some of the wells belonging to the Petitioners have gone dry and it has been necessary for certain Petitioners to re-drill existing wells in order to obtain their required water supply. At times, losses have occurred to Petitioners' crops because of an inability to obtain the groundwater withdrawal permitted pursuant to a license despite the fact that Petitioners' water rights are prior in time to that of the Junior Appropriators.

4. Applications for new groundwater rights in Basin 34 are currently pending in the offices of the Idaho Department of Water Resources. The groundwater proposed to be extracted from any well in the Basin 34 area by any additional Junior Appropriators will reduce the water supply available for the Senior Appropriators pursuant to their existing water rights.

5. In order that the Petitioners may protect their rights, it is necessary for them to seek this order granting a moratorium suspending the issuance of, or further action on, other permits or applications to appropriate groundwater within Basin 34.

6. Petitioners seek an order declaring a moratorium on the issuance of, or further action on, permits or applications for groundwater rights within Basin 34. Petitioners request that the order include the cancellation or modification of permits for which proof of beneficial use has

1 not yet been submitted pursuant to Rule 7, 2, 1 of the  
2 Department's rules. The basis for such order is the negative  
3 effect of consumptive groundwater withdrawals on the  
4 groundwater in the Basin that supplies the Senior  
5 Appropriators' rights.

6 7. If a hearing on this petition is required,  
7 Petitioners propose to participate by presenting evidence as  
8 they deem necessary.

9 WHEREFORE, Petitioners pray that the Idaho Department  
10 of Water Resources, pursuant to Idaho Code §42-1805(7) and  
11 Rule 7 of the Idaho Department of Water Resources Rules and  
12 Regulations for Water Appropriation, establish a moratorium  
13 suspending the further issuance of, or action on, permits or  
14 applications to appropriate groundwater within Basin 34.

15 DATED this \_\_\_\_ day of July, 1989.

16 "PETITIONERS"

17  
18 Signature: Michael G. Crowley Signature: Dick Beverland  
Print Name: Michael G. Crowley Print Name: DICK BEVERLAND

19  
20 Signature: Cathryn Bell Signature: Betty Beverland  
Print Name: CATHRYN BELL Print Name: BETTY BEVERLAND

21  
22  
23 Signature: Harren Brown Signature: Fred Burt  
Print Name: HARREN BROWN Print Name: FRED BURT

24  
25 Signature: Clover Brown Signature: Janice M. Burch  
Print Name: CLOVER BROWN Print Name: JANICE M. BURCH

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Signature: James F. Burch  
Print Name: JAMES F. BURCH

Signature: \_\_\_\_\_  
Print Name: \_\_\_\_\_

Signature: Fitzzy A. Gordon  
Print Name: FITZZY A. GORDON

Signature: \_\_\_\_\_  
Print Name: \_\_\_\_\_

Signature: S. A. Jackson  
Print Name: S. A. JACKSON

Signature: Renée Jackson  
Print Name: RENEE JACKSON

Signature: Debra B. Haney  
Print Name: DEBRA B. HANEY

Signature: \_\_\_\_\_  
Print Name: \_\_\_\_\_

CERTIFICATE OF SERVICE

I hereby certify that on this 31 day of July, 1989,  
I served a copy of the foregoing PETITION TO ESTABLISH  
MORATORIUM PURSUANT TO IDAHO CODE §42-1805(7) AND RULE 7 upon:

Idaho Department of Water Resources  
1301 North Orchard  
Boise, Idaho 83706

by depositing the same in the United States mail, postage  
prepaid, in an envelope addressed as stated in the  
above-captioned heading.

Lewis Rothwell  
One of the Petitioners

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BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE STATE OF IDAHO  
\* \* \* \* \*

In the matter of: )  
Basin 34 )  
\_\_\_\_\_ )  
PETITION TO ESTABLISH  
MORATORIUM PURSUANT  
TO IDAHO CODE §42-1805(7)  
AND RULE 7

COMES NOW the undersigned petitioners, and petition the Director of the Department of Water Resources to establish a moratorium on the issuance of, or further action on, permits or applications to appropriate groundwater in Basin 34 as depicted on the map of the Idaho Department of Water Resource's Administrative Boundaries. This petition is made in accordance with Idaho Code §42-1805(7) and Rule 7 of the Idaho Department of Water Resource's Rules and Regulations for Water Appropriation (October 1986) to protect existing vested water rights, and to insure compliance with the provisions of Chapter 2, Title 42, Idaho Code, based upon the following:

1. Petitioners ("Senior Appropriators") are the owners and holders of certain water rights entitling them to withdraw groundwater from wells in Basin 34.
2. During the past five (5) years or more, other appropriators ("Junior Appropriators") have obtained groundwater rights within Basin 34.

1           3.    The groundwater rights obtained by the Junior  
2 Appropriators have dramatically and seriously impacted the  
3 ability of the Senior Appropriators to obtain their water  
4 because of declining well levels.  Some of the wells belonging  
5 to the Petitioners have gone dry and it has been necessary for  
6 certain Petitioners to re-drill existing wells in order to  
7 obtain their required water supply.  At times, losses have  
8 occurred to Petitioners' crops because of an inability to  
9 obtain the groundwater withdrawal permitted pursuant to a  
10 license despite the fact that Petitioners' water rights are  
11 prior in time to that of the Junior Appropriators.

12           4.    Applications for new groundwater rights in Basin  
13 34 are currently pending in the offices of the Idaho Department  
14 of Water Resources.  The groundwater proposed to be extracted  
15 from any well in the Basin 34 area by any additional Junior  
16 Appropriators will reduce the water supply available for the  
17 Senior Appropriators pursuant to their existing water rights.

18           5.    In order that the Petitioners may protect their  
19 rights, it is necessary for them to seek this order granting a  
20 moratorium suspending the issuance of, or further action on,  
21 other permits or applications to appropriate groundwater within  
22 Basin 34.

23           6.    Petitioners seek an order declaring a moratorium  
24 on the issuance of, or further action on, permits or  
25 applications for groundwater rights within Basin 34.  
26 Petitioners request that the order include the cancellation or  
27 modification of permits for which proof of beneficial use has  
28

1 not yet been submitted pursuant to Rule 7, 2, 1 of the  
2 Department's rules. The basis for such order is the negative  
3 effect of consumptive groundwater withdrawals on the  
4 groundwater in the Basin that supplies the Senior  
5 Appropriators' rights.

6 7. If a hearing on this petition is required,  
7 Petitioners propose to participate by presenting evidence as  
8 they deem necessary.

9 WHEREFORE, Petitioners pray that the Idaho Department  
10 of Water Resources, pursuant to Idaho Code §42-1805(7) and  
11 Rule 7 of the Idaho Department of Water Resources Rules and  
12 Regulations for Water Appropriation, establish a moratorium  
13 suspending the further issuance of, or action on, permits or  
14 applications to appropriate groundwater within Basin 34.

15 DATED this 31 day of July, 1989.

16 "PETITIONERS"

17  
18 Signature: Frank L. Gornett  
Print Name: FRANK L. GORNETT

Signature: Larman D. Andersen  
Print Name: LARMAN D. ANDERSEN

19  
20 Signature: C. Irene Allen  
Print Name: C. Irene Allen

Signature: Ann S. Andersen  
Print Name: ANN S. ANDERSEN

21  
22 Signature: D. Louise Gonzales  
Print Name: D. LOUISE GONZALES

Signature: Lawrence R. Babcock  
Print Name: LAWRENCE BABCOCK

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24  
25 Signature: Robert R. Gonzales  
Print Name: ROBERT R. GONZALES

Signature: \_\_\_\_\_  
Print Name: \_\_\_\_\_

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Signature: \_\_\_\_\_  
Print Name: \_\_\_\_\_

CERTIFICATE OF SERVICE

I hereby certify that on this 31 day of July, 1989,  
I served a copy of the foregoing PETITION TO ESTABLISH  
MORATORIUM PURSUANT TO IDAHO CODE §42-1805(7) AND RULE 7 upon:

Idaho Department of Water Resources  
1301 North Orchard  
Boise, Idaho 83706

by depositing the same in the United States mail, postage  
prepaid, in an envelope addressed as stated in the  
above-captioned heading.

  
\_\_\_\_\_  
One of the Petitioners

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BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE STATE OF IDAHO

\* \* \* \* \*

In the matter of: ) PETITION TO ESTABLISH  
Basin 34 ) MORATORIUM PURSUANT  
 ) TO IDAHO CODE §42-1805(7)  
 ) AND RULE 7  
 )

COMES NOW the undersigned petitioners, and petition the Director of the Department of Water Resources to establish a moratorium on the issuance of, or further action on, permits or applications to appropriate groundwater in Basin 34 as depicted on the map of the Idaho Department of Water Resource's Administrative Boundaries. This petition is made in accordance with Idaho Code §42-1805(7) and Rule 7 of the Idaho Department of Water Resource's Rules and Regulations for Water Appropriation (October 1986) to protect existing vested water rights, and to insure compliance with the provisions of Chapter 2, Title 42, Idaho Code, based upon the following:

1. Petitioners ("Senior Appropriators") are the owners and holders of certain water rights entitling them to withdraw groundwater from wells in Basin 34.
2. During the past five (5) years or more, other appropriators ("Junior Appropriators") have obtained groundwater rights within Basin 34.

1           3. The groundwater rights obtained by the Junior  
2 Appropriators have dramatically and seriously impacted the  
3 ability of the Senior Appropriators to obtain their water  
4 because of declining well levels. Some of the wells belonging  
5 to the Petitioners have gone dry and it has been necessary for  
6 certain Petitioners to re-drill existing wells in order to  
7 obtain their required water supply. At times, losses have  
8 occurred to Petitioners' crops because of an inability to  
9 obtain the groundwater withdrawal permitted pursuant to a  
10 license despite the fact that Petitioners' water rights are  
11 prior in time to that of the Junior Appropriators.

12           4. Applications for new groundwater rights in Basin  
13 34 are currently pending in the offices of the Idaho Department  
14 of Water Resources. The groundwater proposed to be extracted  
15 from any well in the Basin 34 area by any additional Junior  
16 Appropriators will reduce the water supply available for the  
17 Senior Appropriators pursuant to their existing water rights.

18           5. In order that the Petitioners may protect their  
19 rights, it is necessary for them to seek this order granting a  
20 moratorium suspending the issuance of, or further action on,  
21 other permits or applications to appropriate groundwater within  
22 Basin 34.

23           6. Petitioners seek an order declaring a moratorium  
24 on the issuance of, or further action on, permits or  
25 applications for groundwater rights within Basin 34.  
26 Petitioners request that the order include the cancellation or  
27 modification of permits for which proof of beneficial use has  
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1 not yet been submitted pursuant to Rule 7, 2, 1 of the  
2 Department's rules. The basis for such order is the negative  
3 effect of consumptive groundwater withdrawals on the  
4 groundwater in the Basin that supplies the Senior  
5 Appropriators' rights.

6 7. If a hearing on this petition is required,  
7 Petitioners propose to participate by presenting evidence as  
8 they deem necessary.

9 WHEREFORE, Petitioners pray that the Idaho Department  
10 of Water Resources, pursuant to Idaho Code §42-1805(7) and  
11 Rule 7 of the Idaho Department of Water Resources Rules and  
12 Regulations for Water Appropriation, establish a moratorium  
13 suspending the further issuance of, or action on, permits or  
14 applications to appropriate groundwater within Basin 34.

15 DATED this \_\_\_\_ day of July, 1989.

16 "PETITIONERS"

17  
18 Signature: Lillian E. Hutchison Signature: \_\_\_\_\_  
Print Name: LILLIAN E. HUTCHISON Print Name: \_\_\_\_\_

19  
20 Signature: L. R. Deichman Signature: \_\_\_\_\_  
Print Name: L. R. DEICHMAN Print Name: \_\_\_\_\_

21  
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23 Signature: Hugh Wetherington Signature: \_\_\_\_\_  
Print Name: HUGH H. WETHERINGTON Print Name: \_\_\_\_\_

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26 Signature: Olive Rathwell Signature: \_\_\_\_\_  
Print Name: OLIVE RATHWELL Print Name: \_\_\_\_\_

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Signature: \_\_\_\_\_  
Print Name: \_\_\_\_\_

CERTIFICATE OF SERVICE

I hereby certify that on this 31 day of July, 1989,  
I served a copy of the foregoing PETITION TO ESTABLISH  
MORATORIUM PURSUANT TO IDAHO CODE §42-1805(7) AND RULE 7 upon:

Idaho Department of Water Resources  
1301 North Orchard  
Boise, Idaho 83706

by depositing the same in the United States mail, postage  
prepaid, in an envelope addressed as stated in the  
above-captioned heading.

  
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One of the Petitioners

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BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE STATE OF IDAHO

\* \* \* \* \*

In the matter of: )  
Basin 34 )  
\_\_\_\_\_ )  
PETITION TO ESTABLISH  
MORATORIUM PURSUANT  
TO IDAHO CODE §42-1805(7)  
AND RULE 7

COMES NOW the undersigned petitioners, and petition the Director of the Department of Water Resources to establish a moratorium on the issuance of, or further action on, permits or applications to appropriate groundwater in Basin 34 as depicted on the map of the Idaho Department of Water Resource's Administrative Boundaries. This petition is made in accordance with Idaho Code §42-1805(7) and Rule 7 of the Idaho Department of Water Resource's Rules and Regulations for Water Appropriation (October 1986) to protect existing vested water rights, and to insure compliance with the provisions of Chapter 2, Title 42, Idaho Code, based upon the following:

1. Petitioners ("Senior Appropriators") are the owners and holders of certain water rights entitling them to withdraw groundwater from wells in Basin 34.
2. During the past five (5) years or more, other appropriators ("Junior Appropriators") have obtained groundwater rights within Basin 34.

1           3.    The groundwater rights obtained by the Junior  
2 Appropriators have dramatically and seriously impacted the  
3 ability of the Senior Appropriators to obtain their water  
4 because of declining well levels.  Some of the wells belonging  
5 to the Petitioners have gone dry and it has been necessary for  
6 certain Petitioners to re-drill existing wells in order to  
7 obtain their required water supply.  At times, losses have  
8 occurred to Petitioners' crops because of an inability to  
9 obtain the groundwater withdrawal permitted pursuant to a  
10 license despite the fact that Petitioners' water rights are  
11 prior in time to that of the Junior Appropriators.

12           4.    Applications for new groundwater rights in Basin  
13 34 are currently pending in the offices of the Idaho Department  
14 of Water Resources.  The groundwater proposed to be extracted  
15 from any well in the Basin 34 area by any additional Junior  
16 Appropriators will reduce the water supply available for the  
17 Senior Appropriators pursuant to their existing water rights.

18           5.    In order that the Petitioners may protect their  
19 rights, it is necessary for them to seek this order granting a  
20 moratorium suspending the issuance of, or further action on,  
21 other permits or applications to appropriate groundwater within  
22 Basin 34.

23           6.    Petitioners seek an order declaring a moratorium  
24 on the issuance of, or further action on, permits or  
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26 Petitioners request that the order include the cancellation or  
27 modification of permits for which proof of beneficial use has  
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6 7. If a hearing on this petition is required,  
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9 WHEREFORE, Petitioners pray that the Idaho Department  
10 of Water Resources, pursuant to Idaho Code §42-1805(7) and  
11 Rule 7 of the Idaho Department of Water Resources Rules and  
12 Regulations for Water Appropriation, establish a moratorium  
13 suspending the further issuance of, or action on, permits or  
14 applications to appropriate groundwater within Basin 34.

15 DATED this \_\_\_\_ day of July, 1989.

16 "PETITIONERS"

17			
18	Signature: <u>Virgil J Hail</u>	Signature: <u>Jack L Walker</u>	
19	Print Name: <u>VIRGIL HAIL</u>	Print Name: <u>JACK L WALKER</u>	
20			
21	Signature: <u>Charles V Hail</u>	Signature: <u>John A Wanstrom</u>	
22	Print Name: <u>CHARLES V HAIL</u>	Print Name: <u>JOHN A WANSTROM</u>	
23			
24	Signature: <u>Eugene McAffee</u>	Signature: <u>John A Wanstrom</u>	
25	Print Name: <u>EUGENE MCAFFEE</u>	Print Name: <u>JOHN A WANSTROM</u>	
26			
27	Signature: <u>Jack McAffee</u>	Signature: <u>M. Duane Haney</u>	
28	Print Name: <u>JACK MCAFFEE</u>	Print Name: <u>M. DUANE HANEY</u>	

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Signature: Diana L. Cronquist  
Print Name: Diana L. Cronquist

Signature: Jean McAfee  
Print Name: Jean McAfee

Signature: Lois M. Bleak  
Print Name: LOIS M. BLEAK

Signature: David B. Bleak  
Print Name: DAVID B. BLEAK

Signature: Judy Ann Crowley  
Print Name: Judy Ann Crowley

Signature: Barbara Huelsman  
Print Name: Barbara Huelsman

Signature: Albert C Babcock  
Print Name: ALBERT C BABCOCK

Signature: Cary E. Scooter  
Print Name: Cary E. Scooter

Signature: Mary G. Babcock  
Print Name: Mary G. Babcock

Signature: Debbie Scooter  
Print Name: Debbie Scooter

Signature: Jim Huelsman  
Print Name: Jim Huelsman

Signature: George L. Loveless  
Print Name: GEORGE L. LOVELESS

CERTIFICATE OF SERVICE

I hereby certify that on this 31 day of July, 1989,  
I served a copy of the foregoing PETITION TO ESTABLISH  
MORATORIUM PURSUANT TO IDAHO CODE §42-1805(7) AND RULE 7 upon:

Idaho Department of Water Resources  
1301 North Orchard  
Boise, Idaho 83706

by depositing the same in the United States mail, postage  
prepaid, in an envelope addressed as stated in the  
above-captioned heading.

Lewis Rothwell  
One of the Petitioners

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BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE STATE OF IDAHO

\* \* \* \* \*

In the matter of: )  
Basin 34 )  
 )  
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PETITION TO ESTABLISH  
MORATORIUM PURSUANT  
TO IDAHO CODE §42-1805(7)  
AND RULE 7

COMES NOW the undersigned petitioners, and petition the Director of the Department of Water Resources to establish a moratorium on the issuance of, or further action on, permits or applications to appropriate groundwater in Basin 34 as depicted on the map of the Idaho Department of Water Resource's Administrative Boundaries. This petition is made in accordance with Idaho Code §42-1805(7) and Rule 7 of the Idaho Department of Water Resource's Rules and Regulations for Water Appropriation (October 1986) to protect existing vested water rights, and to insure compliance with the provisions of Chapter 2, Title 42, Idaho Code, based upon the following:

1. Petitioners ("Senior Appropriators") are the owners and holders of certain water rights entitling them to withdraw groundwater from wells in Basin 34.
2. During the past five (5) years or more, other appropriators ("Junior Appropriators") have obtained groundwater rights within Basin 34.

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2 Appropriators have dramatically and seriously impacted the  
3 ability of the Senior Appropriators to obtain their water  
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5 to the Petitioners have gone dry and it has been necessary for  
6 certain Petitioners to re-drill existing wells in order to  
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9 obtain the groundwater withdrawal permitted pursuant to a  
10 license despite the fact that Petitioners' water rights are  
11 prior in time to that of the Junior Appropriators.

12           4. Applications for new groundwater rights in Basin  
13 34 are currently pending in the offices of the Idaho Department  
14 of Water Resources. The groundwater proposed to be extracted  
15 from any well in the Basin 34 area by any additional Junior  
16 Appropriators will reduce the water supply available for the  
17 Senior Appropriators pursuant to their existing water rights.

18           5. In order that the Petitioners may protect their  
19 rights, it is necessary for them to seek this order granting a  
20 moratorium suspending the issuance of, or further action on,  
21 other permits or applications to appropriate groundwater within  
22 Basin 34.

23           6. Petitioners seek an order declaring a moratorium  
24 on the issuance of, or further action on, permits or  
25 applications for groundwater rights within Basin 34.  
26 Petitioners request that the order include the cancellation or  
27 modification of permits for which proof of beneficial use has  
28

1 not yet been submitted pursuant to Rule 7, 2, 1 of the  
2 Department's rules. The basis for such order is the negative  
3 effect of consumptive groundwater withdrawals on the  
4 groundwater in the Basin that supplies the Senior  
5 Appropriators' rights.

6 7. If a hearing on this petition is required,  
7 Petitioners propose to participate by presenting evidence as  
8 they deem necessary.

9 WHEREFORE, Petitioners pray that the Idaho Department  
10 of Water Resources, pursuant to Idaho Code §42-1805(7) and  
11 Rule 7 of the Idaho Department of Water Resources Rules and  
12 Regulations for Water Appropriation, establish a moratorium  
13 suspending the further issuance of, or action on, permits or  
14 applications to appropriate groundwater within Basin 34.

15 DATED this \_\_\_\_ day of July, 1989.

16 "PETITIONERS"

17  
18 Signature: Linda Morgan Signature: \_\_\_\_\_  
Print Name: LINDA MORGAN Print Name: \_\_\_\_\_

19  
20 Signature: L.G. Stonhill Signature: \_\_\_\_\_  
Print Name: L.G. STONHILL Print Name: \_\_\_\_\_

21  
22  
23 Signature: Louis S. Agate Signature: \_\_\_\_\_  
Print Name: Louis S. Agate Print Name: \_\_\_\_\_

24  
25 Signature: \_\_\_\_\_ Signature: \_\_\_\_\_  
26 Print Name: \_\_\_\_\_ Print Name: \_\_\_\_\_

27  
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1	Signature: _____ Print Name: _____	Signature: _____ Print Name: _____
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11	Signature: _____ Print Name: _____	Signature: _____ Print Name: _____
12		
13	Signature: _____ Print Name: _____	Signature: _____ Print Name: _____
14		

CERTIFICATE OF SERVICE

17 I hereby certify that on this 31 day of July, 1989,  
18 I served a copy of the foregoing PETITION TO ESTABLISH  
19 MORATORIUM PURSUANT TO IDAHO CODE §42-1805(7) AND RULE 7 upon:  
20 Idaho Department of Water Resources  
21 1301 North Orchard  
21 Boise, Idaho 83706  
22 by depositing the same in the United States mail, postage  
23 prepaid, in an envelope addressed as stated in the  
24 above-captioned heading.

*Lewis Rottwell*  
One of the Petitioners