

## MEMORANDUM

To: Basin 34 Water Users  
From: Gary Spackman  
Date: November 15, 2004

### Re: Proposed Mitigation Plan Submitted on or about October 5, 2004

This memo is a response to a mitigation plan submitted to IDWR on or about October 5, 2004. Loy Pehrson recently requested a written response.

The proposed mitigation plan requests many actions that conflict with the Water District 34 Distribution Rules. The rules recognize the ability of water users to submit alternative plans, but those plans may have to comply with the rules unless the users unanimously consent to departure from the rules.

1. Mitigation call timing – Requesting mitigation by February 1 would give the ground water users more time to prepare a mitigation plan. The call may be premature because the full extent of the water supply will not be known by February 1. The rules do not require that the request be made until the water users requests delivery of his water. This could only be voluntary unless the rules are amended.
2. Mitigation delivery onset – I don't understand this statement. It needs additional clarification.
3. Mitigation timing – Providing mitigation at the onset of the irrigation season to flush the river and canal systems is a laudable goal. The rules provide for 1/3 mitigation water in the first half of the season, and 2/3 mitigation water in the second half of the season. This proposal may conflict with the rule.
4. Mitigation water –

Storage water that is lost through reservoir seepage or losses to the aquifer in deliveries **will not** be credited as recharge for mitigation. Storage water used to “flush” may be credited to mitigation if released as part of an overall approved plan.

Water delivered to holders of natural flow water rights (decreed rights) lost through conveyance **will not** be credited as recharge for mitigation.

5. Mitigation upstream from Mackay Reservoir

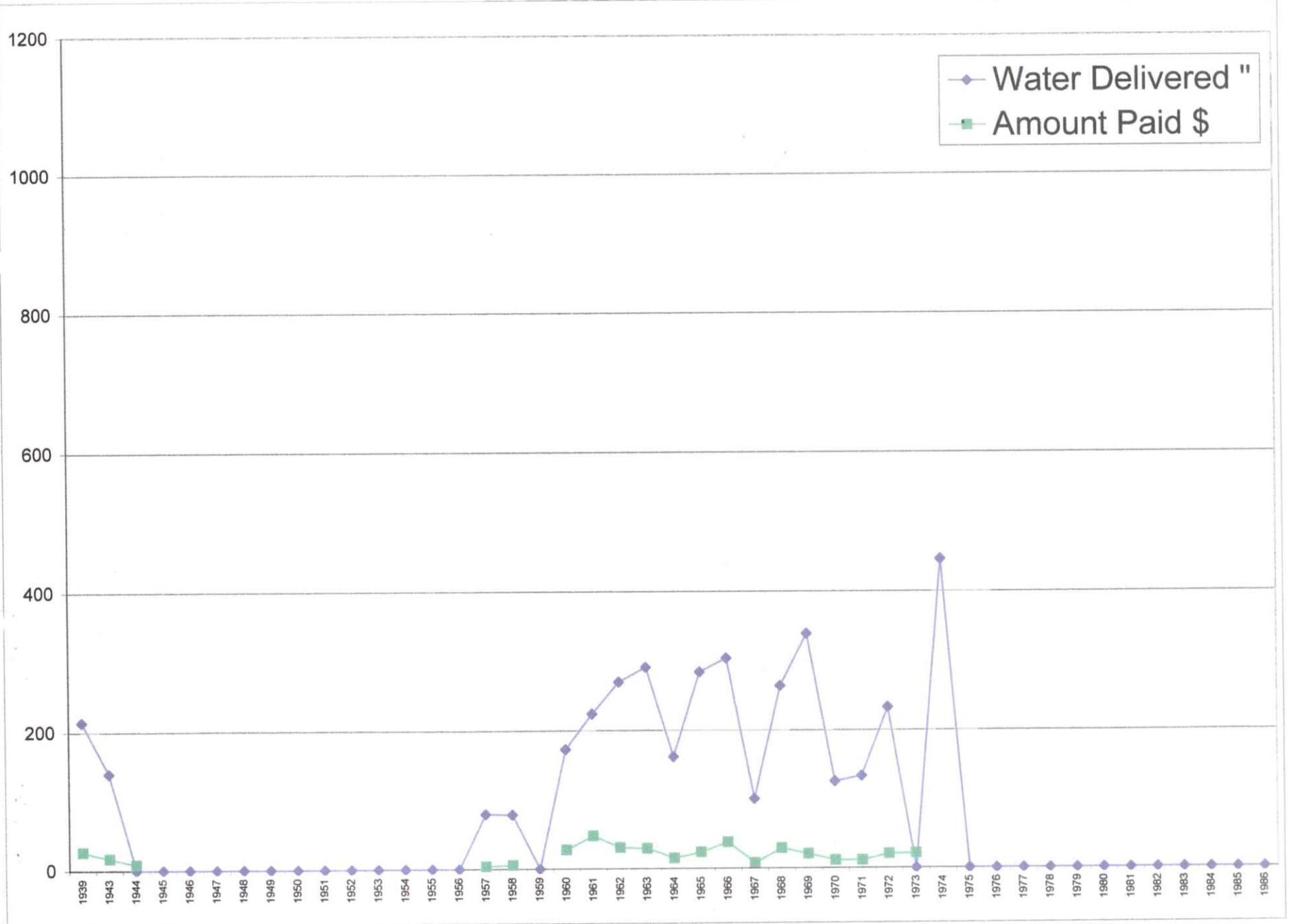
Ground water users pumping ground water above Mackay Reservoir must provide their proportionate share of mitigation as required by the rules.

Storage water dedicated to mitigation will be credited for mitigation. Natural flow water dedicated specifically for mitigation will be credited for mitigation. Seepage lost through delivery or storage will not be recognized as mitigation.

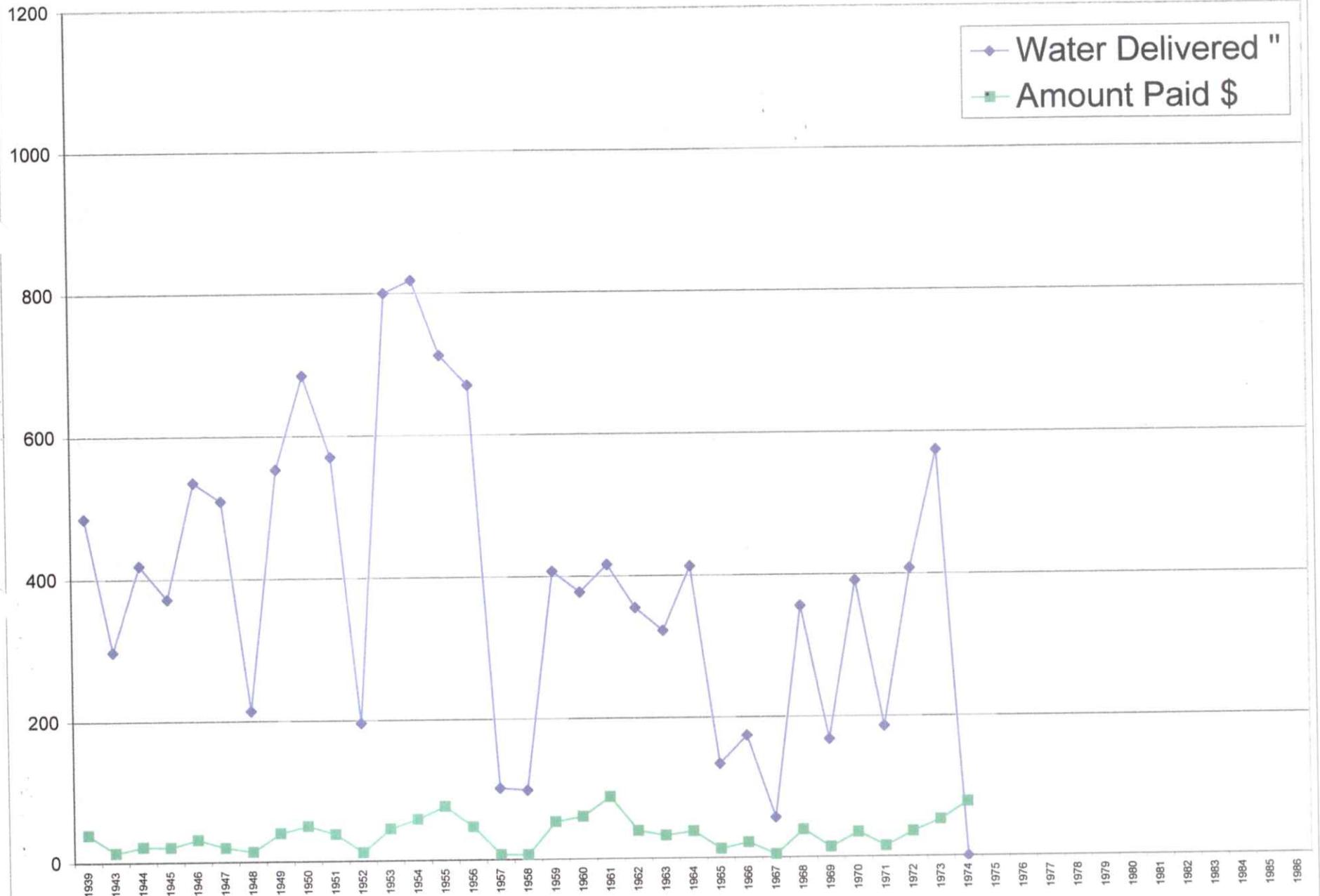
PROPOSED CRITERIA OF ACCEPTANCE FOR A  
MITIGATION PLAN FOR DISTRICT 34 IRRIGATION  
SEASON 2005

1. THE PROPOSED PLAN MUST MEET THE  
"DETERMINATION OF DEPLETION" AS  
CALCULATED BY IDWR FOR IRRIGATION SEASON  
2005.
2. NO PLAN SHALL UTILIZE THE PUMPING OF  
ADDITIONAL GROUND WATER AS A MEANS OF  
MITIGATION,
3. IF THE PROPOSED PLAN EMPLOYS THE  
CURTAILMENT OF GROUND WATER PUMPING AS A  
MEANS OF MEETING THE "DETERMINATION OF  
DEPLETION", SUCH CURTAILMENT MUST CONFORM TO  
IDAHO WATER LAW, THE FOUNDATION OF WHICH IS  
"FIRST IN TIME, FIRST IN RIGHT.

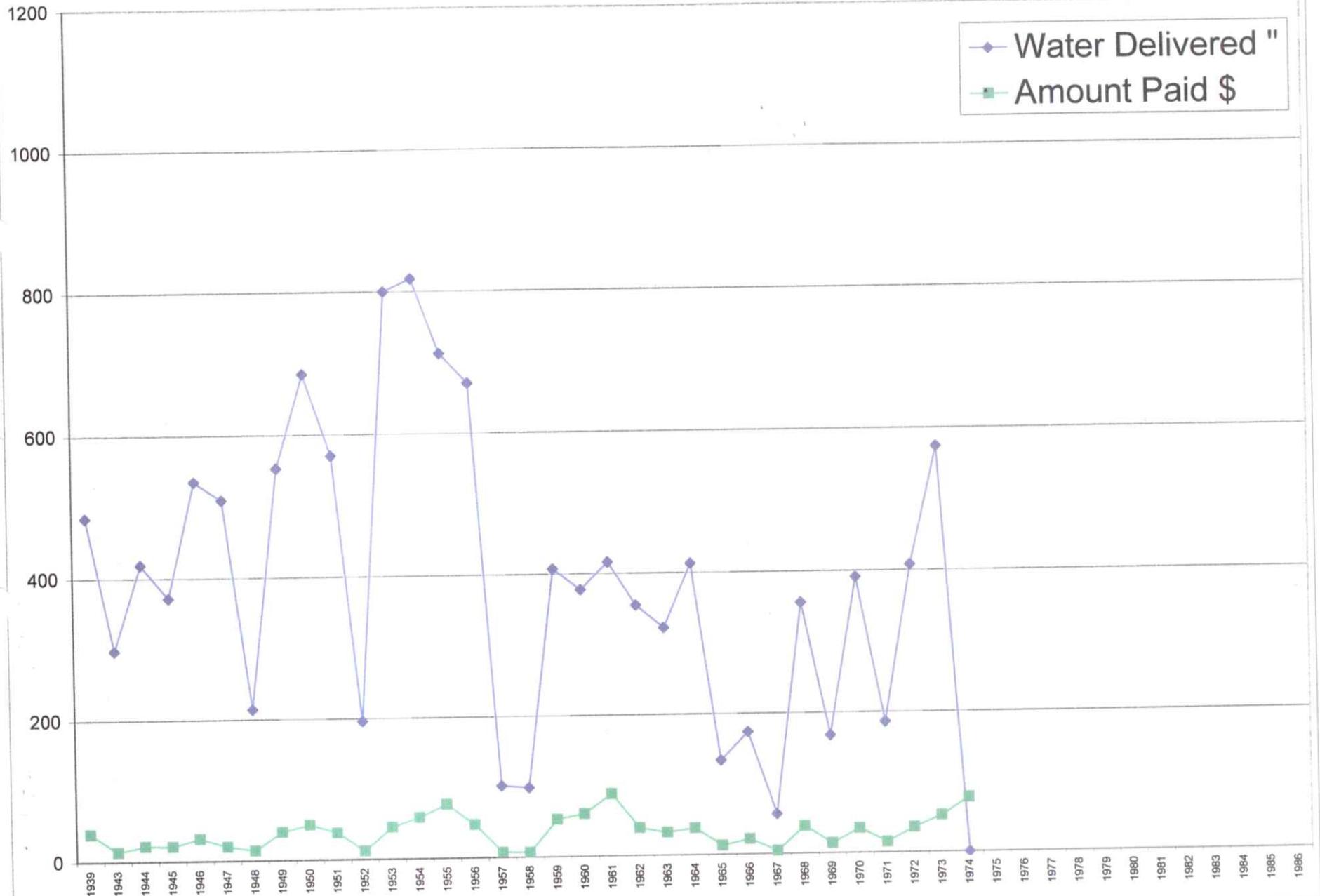
# L. Vaughn Jensen



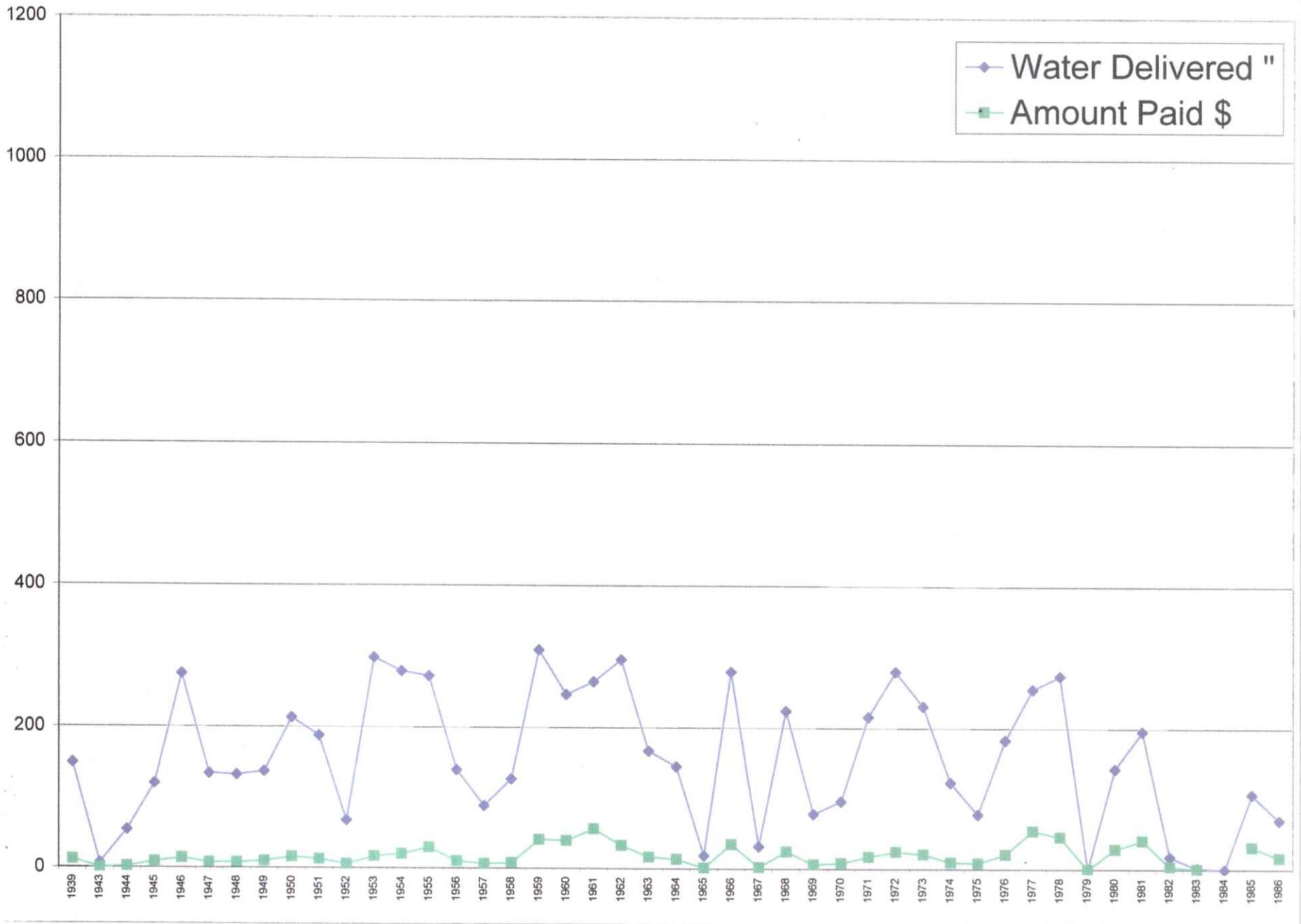
# Jack Jensen



# Jack Jensen



# Jay Jensen



**L.VAUGHN JENSEN**

34-372B  
ACCT#61  
56"=1.6cfs  
24 HR SEC FT

Year	Water Delivered "	Amount Paid \$
1939	214	\$26.96
1943	140	\$17.42
1944	illegible	\$8.38
1945	combined with Jack	
1946	combined with jack	
1947	combined with Jack	
1948	combined with Jack	
1949	combined with Jack	
1950	combined with Jack	
1951	combined with Jack	
1952	combined with Jack	
1953	combined with Jack	
1954	combined with Jack	
1955	combined with Jack	
1956	combined with Jack	
1957	80	\$4.20
1958	79	\$5.57
1959	combined with Jack	
1960	173	\$27.73
1961	224	\$47.60
1962	270	\$30.48
1963	291	\$29.21
1964	162	\$15.03
1965	284	\$23.56
1966	304	\$38.09
1967	101	\$7.82
1968	264	\$28.98
1969	339	\$20.94
1970	126	\$11.46
1971	134	\$11.25
1972	233	\$20.44
1973	0	21.11
1974	446	
1975	all 3 rights combined on billing	
1976	all 3 rights combined on billing	
1977	all 3 rights combined on billing	
1978	all 3 rights combined on billing	
1979	all 3 rights combined on billing	
1980	all 3 rights combined on billing	
1981	all 3 rights combined on billing	
1982	all 3 rights combined on billing	
1983	all 3 rights combined on billing	
1984	all 3 rights combined on billing	
1985	all 3 rights combined on billing	
1986	all 3 rights combined on billing	

**JACK JENSEN**

34-372A  
ACCT#62  
52"=3.2cfs  
24 HR SEC FT

Year	Water Delivered "	Amount Paid \$
1939	485	\$39.48
1943	298	\$14.01
1944	419	\$22.00
1945	372	\$21.35
1946	535	\$31.87
1947	509	\$20.71
1948	214	\$14.41
1949	553	\$40.43
1950	685	\$50.30
1951	570	\$38.56
1952	196	\$12.30
1953	800	\$45.53
1954	818	\$58.79
1955	712	\$76.71
1956	670	\$47.29
1957	102	\$7.45
1958	99	\$6.97
1959	407.4	\$53.50
1960	378	\$60.59
1961	416	\$88.40
1962	355	\$39.58
1963	323	\$32.43
1964	413	\$38.33
1965	134	\$13.12
1966	174	\$21.80
1967	57	\$4.41
1968	356	\$39.09
1969	168	\$14.34
1970	391	\$35.01
1971	186	\$15.05
1972	408	\$35.79
1973	574	\$52.35
1974	combined L Vaughn	\$77.34
1975		
1976		
1977		
1978		
1979		
1980		
1981		
1982		
1983		
1984		
1985		
1986		

**JAY JENSEN**

34-690B  
ACCT#73A  
87"=1.73cfs  
24 HR SEC FT

Year	Water Delivered "	Amount Paid \$
1939	149	\$12.13
1943	7	\$0.33
1944	54	\$2.33
1945	120	\$8.89
1946	275	\$13.80
1947	134	\$7.56
1948	132	\$7.50
1949	137	\$9.93
1950	213	\$15.64
1951	188	\$12.65
1952	68	\$5.53
1953	298	\$16.86
1954	279	\$20.05
1955	272	\$29.31
1956	140	\$9.95
1957	89	\$6.60
1958	127	\$8.05
1959	309.6	\$40.63
1960	247	\$39.59
1961	265	\$56.31
1962	296	\$32.98
1963	167	\$16.77
1964	145	\$13.55
1965	19	\$1.58
1966	279	\$34.96
1967	32	\$2.48
1968	224	\$24.59
1969	78	\$6.66
1970	96	\$8.60
1971	216	\$17.48
1972	280	\$24.56
1973	231	\$21.07
1974	123	\$9.77
1975	78	\$8.74
1976	183	\$21.05
1977	255	\$54.57
1978	274	\$46.16
1979	missing	credit?
1980	143	\$28.60
1981	196	\$41.16
1982	18	\$3.97
1983	2	\$0.57
1984	0	
1985	107	\$32.04
1986	70	\$16.76

**Group Totals**

Year	Water Delivered "	Amount Paid \$
1939	848.00	78.57
1943	445.00	31.76
1944	473.00	32.71
1945	492.00	30.24
1946	810.00	45.67
1947	643.00	28.27
1948	346.00	21.91
1949	690.00	50.36
1950	898.00	65.94
1951	758.00	51.21
1952	264.00	17.83
1953	1098.00	62.39
1954	1097.00	78.84
1955	984.00	106.02
1956	810.00	57.24
1957	271.00	18.25
1958	305.00	20.59
1959	717.00	94.13
1960	798.00	127.91
1961	905.00	192.31
1962	921.00	103.04
1963	781.00	78.41
1964	720.00	66.91
1965	437.00	38.26
1966	757.00	94.85
1967	190.00	14.71
1968	844.00	92.66
1969	585.00	41.94
1970	613.00	55.07
1971	536.00	43.78
1972	921.00	80.79
1973	805.00	94.53
1974	569.00	87.11
1975	78.00	8.74
1976	183.00	21.05
1977	255.00	54.57
1978	274.00	46.16
1979	0.00	0.00
1980	143.00	28.60
1981	196.00	41.16
1982	18.00	3.97
1983	2.00	0.57
1984	0.00	0.00
1985	107.00	32.04
1986	70.00	16.76

# Jensen Family Grand Totals

