

PETITION TO IDWR
CONCERNING BASIN 34 MITIGATION PLANS

1/31/05

SPACKMAN
RECEIVED

MAR 25 2005

DEPARTMENT OF
WATER RESOURCES

The undersigned holders of prior surface water rights to the flows of Lost River in Water District 34 which are diverted below Mackay Reservoir, and which same users will request mitigation pursuant to Water District 34 Distribution Rule 50.04 at the appropriate time when ordering water in the Spring of 2005, hereby offer the following for inclusion in any Idaho Department of Water Resources (IDWR) approved mitigation plan offered by junior priority ground and surface water users, after the Director of IDWR has first reviewed the depletion number of Rule 50.04 c. of the Basin 34 Water Distribution Rules:

1. That all proper requests for mitigation be honored and fulfilled by the Watermaster to the extent possible under any approved mitigation plan.
2. That the curtailment of junior groundwater users not participating in an approved mitigation plan or if there is no mitigation plan, occur by priority, with the most junior right totally curtailed prior to curtailing the next senior user.
3. Junior groundwater users must be curtailed if mitigation water is not available pursuant to an approved plan and that "futile call" shall not be invoked as a defense in said situation.
4. The cost of acquisition of mitigation water acquired shall be the financial burden of the Junior groundwater users.
5. That IDWR recognizes that the specific Water Distribution Rules for Conjunctive Management in Water District 34 are the exclusive rules for water administration in Basin 34 and that a separate call under the Conjunctive Management Rules is not necessary to invoke curtailment under administration in Water District 34.
6. That a primary goal of any approved mitigation plan include recovery of the groundwater aquifer through curtailment or recharge as a hedge against future droughts.
7. Any mitigation plan shall require comprehensive and ongoing groundwater* measurements as one means of calculating the amount of needed future mitigation water for the purposes of avoiding future injury to senior surface users, as well as recovering the aquifer.

PETITION TO IDWR
CONCERNING BASIN 34 MITIGATION PLANS

Respectfully submitted by the following Water District 34 Waterusers.

<u>Name</u>	<u>Address</u>	<u>Date</u>
Day F Pearson	2830N 3375W	Moore 3-10-05

Letter was mailed to:

wrong address Day Pearson
Rte 1 Box 47
Arco

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Respectfully submitted by the following Water District 34 Waterusers.

<u>Name</u>	<u>Address</u>	<u>Date</u>
Linda Morgan	2936 W. 2150 N. Arco, Id 83213	2-27-05

John H. Morgan	2936 W. 2150 N ARCO, IDAHO	2-27-05
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Basin 34/petition to idwr

**PETITION TO IDWR
CONCERNING BASIN 34 MITIGATION PLANS**

Respectfully submitted by the following Water District 34 Waterusers.

Name

Address

Date

Carole Campbell

2/28/05

RR, Box 209 ARCO, IDAHO 83203

1880 water rights

haven't gotten water for the last
couple of years due to futile call ?

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Respectfully submitted by the following Water District 34 Waterusers.

Name

Address

Date

I sold my property to
Jared R. Ashton - 2104 North
3100 West Arroyo del
Thank you

Remywood Noble

2.26.05

Basin 34/petition to idwr

FEB 25 2005

DEPARTMENT OF
WATER RESOURCES

Dear Mr. Spackman:

Enclosed is a petition someone sent me to sign because its proposal is more "fair" than others being offered. More fair to whom?

There is not enough water in our valley to water all the apparent "Excess Ground" under cultivation now, or in the foreseeable future. Only God can fix that and maybe, he's just plain tired of listening to idiots bicker over what is "theirs"!

I don't have a very large storage right in the Mackay reservoir - don't use it, can't get it. You folks on the hot seat are welcome to it this year if it will help you out!

What piss's me off royally is that other people want to reach in my pocket to bail their selfish ass out of hot (or is that lack ~~of~~ of?) water! Whatever the state does, most will not be satisfied. Best of Luck in your dilemma. If it was me I'd shut em off! They won't be pleased with or appreciate your best efforts anyway.

Sincerely - Mike Floy 554-2341

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FEB 25 2005
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1. That all proper requests for mitigation be honored and fulfilled by the Watermaster to the extent possible under any approved mitigation plan.
2. That the curtailment of junior groundwater users not participating in an approved mitigation plan or if there is no mitigation plan, occur by priority, with the most junior right totally curtailed prior to curtailing the next senior user.
3. Junior groundwater users must be curtailed if mitigation water is not available pursuant to an approved plan and that "futile call" shall not be invoked as a defense in said situation.
4. The cost of acquisition of mitigation water acquired shall be the financial burden of the Junior groundwater users.
5. That IDWR recognizes that the specific Water Distribution Rules for Conjunctive Management in Water District 34 are the exclusive rules for water administration in Basin 34 and that a separate call under the Conjunctive Management Rules is not necessary to invoke curtailment under administration in Water District 34.
6. That a primary goal of any approved mitigation plan include recovery of the groundwater aquifer through curtailment or recharge as a hedge against future droughts.
7. Any mitigation plan shall require comprehensive and ongoing groundwater* measurements as one means of calculating the amount of needed future mitigation water for the purposes of avoiding future injury to senior surface users, as well as recovering the aquifer.

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Respectfully submitted by the following Water District 34 Waterusers.

<u>Name</u>	<u>Address</u>	<u>Date</u>
Jay Stewart	2705 ^N 3375 ^W	2-23-05

For the last years of 02 & 03 I paid water assessments & watermaster fees and was told there would be no water delivered to me. So I sold my water rights to Doctor Harshel. The only water right I have is my home well. When I first had a well drilled in 1957 it was only 6 1/2' to water.

Since 1957 I have had to add to the first well 20' - then later it went dry. and the new well driller said I have to have a new well that he would not do any thing with the old one. So for the third time I paid for a new well. Then the Farmers started pushing down Irrigation wells & soon my well was dry. So for the 4th time I had Arthur Drill the 4th one. 100' deep.

I think its more Important to have a Drink of water to be able to flush a toilet & take a bath. than let the ground water wells suck us Domestic users dry. There has been too much land development and too many irrigations well developed. the amount of water available over

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GARRY SPAZERMAN
RECEIVED
FEB 24 2005
DEPARTMENT OF
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1. That all proper requests for mitigation be honored and fulfilled by the Watermaster to the extent possible under any approved mitigation plan.
2. That all juniors be encouraged to participate in an overall mitigation plan rather than by separate plans.
3. That the curtailment of junior groundwater users not participating in an approved mitigation plan or if there is no mitigation plan, occur by priority, with the most junior right totally curtailed prior to curtailing the next senior user.
4. Junior groundwater users must be curtailed if mitigation water is not available pursuant to an approved plan and that "futile call" shall not be invoked as a defense in said situation.
5. That IDWR recognizes that the specific Water Distribution Rules for Conjunctive Management in Water District 34 are the exclusive rules for water administration in Basin 34 and that a separate call under the Conjunctive Management Rules is not necessary to invoke curtailment under administration in Water District 34.
6. That a primary goal of any approved mitigation plan include recovery of the groundwater aquifer through curtailment or recharge as a hedge against future droughts.
7. Any mitigation plan should require comprehensive groundwater measurement as a means of calculating the amount of needed mitigation. IDWR should designate certain control wells after determining the groundwater level required to avoid

injury to senior surface users and recover the aquifer.

Respectfully submitted by the following Water District 34 Waterusers.

<u>Name</u>	<u>Address</u>	<u>Date</u>
Rex J. Andersen	18 E. 1 st N. Rexburg ID 83440	2/20/05

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Respectfully submitted by the following Water District 34 Waterusers.

<u>Name</u>	<u>Address</u>	<u>Date</u>
LARRY P BARNES	2981 INTERSTATE ARCO	2-21-05
J BOONE BARNES	P.O. Box 7, ARCO	2-21-05

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PETITION TO IDWR
CONCERNING BASIN 34 MITIGATION PLANS

RECEIVED
1/31/05 FEB 17 2005
DEPARTMENT OF
WATER RESOURCES

*Carole Campbell
RR1 Box 209
Arco, Idaho 83203
Phone 1-208-327-9928*

The undersigned holders of prior surface water rights to the flows of Lost River in Water District 34 which are diverted below Mackay Reservoir, and which same users will request mitigation pursuant to Water District 34 Distribution Rule 50.04 at the appropriate time when ordering water in the Spring of 2005, hereby offer the following for inclusion in any Idaho Department of Water Resources (IDWR) approved mitigation plan offered by junior priority ground and surface water users, after the Director of IDWR has first reviewed the depletion number of Rule 50.04 c. of the Basin 34 Water Distribution Rules:

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Idaho Department of Water Resources

When are you going to "stop"
selling our underground water?
6 years ago I had to drill a
new well. Last year I had to
go deeper. An expense I can
ill afford. I was allotted
one ditch irrigation last year
while the desert had sprinklers
going day + night. I am just
one of many hundreds that is
having a rough time surviving
in the last river valley.

Dorothy Boyack

ps.

The natural flow of water
is in the river, where it
will recharge & where it
should be.

