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JAN 21 1997

Department of Water Resources

Janurary 19 1997

Idaho Department of Water Resources  
1301 North Orchard  
Boise, Idaho 83720-9000

Dear Tim Luke:

Re.of yours of 1-15-97.

I realize you dont understand the ramifications and liability of your order to curtail all of the water from Big Spring except the city of Hagerman. When I shut of the last of my fish and livestock water t he hydrolick ram effect of the city pump turning of and on creat ed a vaccume on Big Spring's pipe then asurge of pressure until it seems to have started a leak in the 20 inch pipeforming a lake in Donnie's fieldwhere he is wintering some brood mares. ^Donnie is afraid of the mares falling on the ice.Also the water ran down the road to Hagerman and when the snow storm hit it put the water/on one lane of Hagerman Avenu {2700 road}. If there had been a wreck on the ice IDWR would probably have been liable for causing a break in Big Spring's pipe.

You did not include the Aqualife - McFadden agrement with your letter of Janurary 15 = 97.

#### CURN DITCH

Concerning the shutting of the water to the Curen Ditch. There are many reasons: First Aqualife was not and is not making bennifical use of the 100 CFS that they have available. And second if I were to turn Aqulife 150 CFS of water,if it were available, it would wash them out because they are not equiped to put that much water threw their ponds. Thirdly you had not considered all the water rights in the Curan ditch, and who would be injured by the act and who would be liable for the injory.

When the water department liscenced the water rights in Hagerman valley they liscenced for the maximum amount of water available. Now the water departmenmt can't deliver and never could deliver all the water all the time. The water table in the aquifer raises and lowers changing the amount of water in the springs.

I thank you for keeping me informed on what id happening in the valey.

Sincerely yours

  
George Lemmon