

Richard Parrott
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PRO SE

First Amended

DISTRICT COURT
TWIN FALLS CO., IDAHO
FILED

2015 DEC 11 PM 3:17

BY _____
CLERK

DEPUTY

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF STATE OF IDAHO,

IN AND FOR THE COUNTY OF TWIN FALLS

IN THE MATTER OF APPLICATION FOR REVIEW)
TRANSFER NUMBER 79380 AREA 47)
TWIN FALLS, COUNTY)
RICHARD PARROTT)
Petitioner,)
vs)
IDAHO DEPARTMENT OF WATER RESOURCES)
AND Gary Spackman, in his official capacity as Director)
of IDWR)
Respondents)

PETITION FOR JUDICIAL Review

~~5221-00~~ CV42-15-4552

COMES NOW the Petitioner, Richard Parrott, filing this Petition for Judicial Review as follows:

PETITION FOR JUDICIAL REVIEW

1. Petitioner owns a farm six miles south of Filer, Idaho.
2. 14 other protested ~~#~~ 4 water transfers to Haflinger Dairy.
3. One new water right transfer of approximately 150 acre feet was REJECTED by the hearing officer.
4. Other water transfers considerations were rejected by the hearing officer. One was season of use.
5. The second was moving 1970 priority date of the well 40 miles south to the dairy sight but not far (1/2 to 5 miles) from new home sites down gradient.

6. The source of water in that area is Twin Fall^s canal seepage.

7. The director picked testimony from the 2 day hearing that agreed with his political driven decision to overturn the hearing officer who was present and involved for 8 months including a 2 day hearing.

a. The Director used adjudication as a reason to approve priority date move to new site.

b. The hearing officer rejected based on "case by case" situation. The case in this area is.... It's dry and water was never found underground until irrigation began on south side of the river on the Salmon tract.

8. Whoever wrote the background did not have an understanding of hydraulic conductivity and its connection to certainty of water for what will come to be junior water right holders if the director's final amended order stands.

9. Service of this petition will be made to IDWR and parties of the contested decision on December 10, 2015 by email.

RIGHT TO AMEND

The Petitioner reserves the right to amend and expand this Petitions information as its need becomes more clear.

WHEREFORE, the Petitioner prays for the following relief.

A. Finding final amended order is jumbled in nature to read.

A.1 *Require monitoring, public made aware quarterly (water use)*

B. Original hearing officer shall have the final decision on season of use and priority date

and that a preconference call be held to determine his justification.

RESPECTFULLY SUBMITTED, DECEMBER 9, 2015.

RICHARD PARROTT, 208-308-7113

