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Department of Water Resources
Adjudication Bureau

3-14

RICHARD BEAL
BOX 31
Moore, Idaho 83255

MARCH 11, 1996

State of Idaho
District Court
Snake River Basin Adjudication
P. O. Box 2707
Twin Falls, Idaho 83303-2707

To SRBA District Court,

RE: Water Right Numbers

96-03-0040

34-00738C

34-00062B

34-02397C

I am filling a motion for a late objection to the recommendation of the above water rights by the Director of I.D.W.R.

My concern is with the combined diversion rate being limited to 2.14 C.F.S.

I flood irrigate my farm and historically have required 8.00 C.F.S. flow rate to flood my farm. This does not however represent my average daily diversion rate, because I irrigate only about 7 - 8 days every 3 weeks.

I have raised this question of diversion rate to IDWR. The department has always been cautious about increasing the rate and with reservation IDWR felt as long as I did not exceed my annual consumptive use volume of 187.5 A.F. that my practice would be protected. However I called last week and again asked IDWR if this was still the interpretation of the Department.

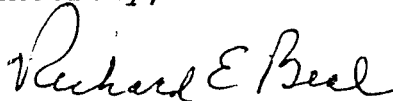
I spoke with Carter Fritschle and I recognize some indecision as to what restriction the diversion rate would have on my ability to flood irrigate as I have historically done.

I apologize for the lateness of this request. However it is only because the issue has not been cleared with IDWR over 6 year of discussion with them.

I would ask the court to consider the either increase the diversion rate to allow small farms such as mine to be flooded or recognize that the diversion rate is an average daily rate and not the maximum that can be diverted.

Your consideration to this late objection is certainly appreciated.

Sincerely,

A handwritten signature in cursive script, reading "Richard E. Beal". The signature is written in dark ink and is positioned above the printed name.

RICHARD E. BEAL