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Department of Water Resources
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Department of Water Resources
Southern Region

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I am disappointed but not surprised at the report the court concluded on my behalf.

Although I appreciate the complements given me for my resourcefulness, my status in the eyes of state water dept. is not as great as a criminal or someone on welfare. I expressed my feelings at some of the conferences that I feared I would be used as a example so that no one else would dare try to defend their rights as to water users and to destroy if possible anyone who could not afford the high price of defence or have the kind of clout to be a exception.

In page 8 purposes of use Case no 39576 subcase 36-0000: special master's report and recommendation July 1, 1996 other purposes are ruled out and explained away that the federal court could have intended - or assumed - at that time and not some future use.

The document states water being a pertenant to the land and other uses. That is what it says not something else, if so, then why take the water away that has not been contested except by I.D.W.R. What good is the land with no water that can never replaced or reinstated forever? The taxes will still increase and what I paid for am supposed to lose and be given to someone else or sent to the ocean. I don't think 20 inches of water will save the state.

I keep several ditches maintained to deliver water. This is July and I cannot deliver enough water to the end of the ditches.

Subcase
36 -
00003G

and sometimes more. Many times I have went without water so someone below me may benifit untill conditions change. Dept. agents never show under these conditions, just when water is high and demand low. The report says to allow me more than 3 acres would not be benificial. They are telling me my survival is of no value.

As I read this report I find many things that are not written down the same as I presented them. On page 4 of Buckeye ditch it states approximately 20 water users, my secretary printout that the court has as evidence is 74 share owners. Mr. Le Moyne guessed irrigating 20 acres. the report is confused where on the property thoes acres were located when it is obvious as rough as it is it takes the whole 40 in order to come up with 20 where water will run by gravity, my guess is 10

Thoes I.D.W.R. experts that I did not except as such, were were trained for a government job in a air conditioned building at a guaranteed salary, not in 100 degree plus teneture at hard labor from 12 to 14 hours a day plus taxes.

Page 3 at 4 and 5 I did not Claim 5 C.F.S. for power I Claimed 11 C.F.S. and the dept. put it at 5. I contested that and it was proved and changed to 8.23 C.F.S. dated Feb. 26-1996 Case no 39516 settlement report subcase no 36-04142.

I hope this reply statement of facts would be given some reasonable Consideration and not that I am a bad guy that should be exterminated because I bought a parcel of land with a right 39 years ago and have survived up to now. Sincerely,