

07/2008

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 18 2018

Department of Water Resources
Eastern Region

NOTICE OF PROTEST

This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, and 42-222, Idaho Code. The department will also accept a timely protest not completed on this form if it contains the same information.

1. Matter being protested Transfer # 82318 - Telford Lands LLC
2. Name of protestant Darrell E. McDonald
3. Protestant's Representative for service (If different than protestant)

4. Service mailing address P.O. Box 102, Arco, Id 83213
5. Service telephone no (208) 527-3413 Email Address: _____

6. Basis of protest (including statement of facts and law upon which the protest is based)

@ This proposed change will injure more water rights than Transfer # 77933 filed in 2012 (later withdrawn by Telford) by adding even more land & water. @ The new well site is only a few feet from the Mansay ditch and only about 200 ft. from the river
Revised (Transfer # 77933 changed to 78363) (additional pages may be attached to describe nature of the protest)

7. What would resolve your protest? Denial of Transfer, maintain the diversion limits of all Island Wells, #34-7037, 34-4015, + 34-2401 A; Plus deny the new well.

I hereby, acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 15th day of June, 2018.

Darrell E McDonald
Protestant

Protestant's Representative

Receipt
E044116

To Do List...

Depth of Well, if
above the A line, to
be considered in Eastern
Snake Plain ~~aquifer~~
~~the~~ Aquifer - D
Where is the A Line?

Question on 34-7037 Order
dated 1986 -



stjude.org

Darrell E. /Nancy McDonald
P.O. Box 102
Arco, Idaho, 83213-3102
Phone: 208-527-3413 or 208-589-2888

June 15, 2018

Idaho Department of Water Resources
900 N Skyline Dr., Ste A
Idaho Falls, Idaho 83402-1718

Re: Telford Transfer #82318

IDWR Staff:

This letter of concern is also part of my objection to this transfer.

In 1986 IDWR issued an ORDER, dated March 17, 1986, stating: "IT IS, THEREFORE, HEREBY ORDERED and Application for Amended No 34-7037 is APPROVED subject to the following conditions:

1. Flow meters of a type approved by the Department of Water Resources shall be installed and maintained on each diversion to assure that the total pumping rate does not exceed 12 cubic feet per second at any time.
2. Diversion and use of water from the well in NE1/4NW1/4, Sec.3, Twp. 4N, Rge. 26E. Is subject to the control of the Watermaster of Water District 34 and shall be considered together with the surface water priorities of the Big Lost River.
3. Upon reconstruction of the well under a plan with prior department approval, or upon a showing satisfactory to the Department that minimal hydraulic connection exists between the well and surface water flows, the Director may waive condition No, 2.
4. The permit holder shall comply with the original conditions of permit approval."

Under this ORDER for Water right #34-7037, the Department of Water Resources or Water District 34 Watermaster, have NEVER held Crater Farms, Isoms, or Telfords to the 12 CFS diversion rate.

We interceded in the Adjudication Court filed by Isoms, we Protested Telford's Transfer #77933, later changed to 78363, which Telford later withdrew. He applied to pump the water rights on the lavas and the expansion right out of the BIG HOLE, which was drilled only as a test hole..The Well Log shows there wasn't any appreciable water until the driller reached 510-580 feet.

Now Mr Telford has filed a new Transfer #82318 which adds two more water rights, 34-4015 and 34-2401 A, included more land, previously Folkman' well and land: a new POD. This new POD could damage all rights below the Arco Diversion, city, homes, irrigation wells and BLRID water rights. They have also added the Big Hole.

We alone have spent about \$100,000 protesting Transfers on the Island Wells since 2011. How much longer is the IDWR going to allow them to be filed, withdrawn, refiled again? How many times do the patrons of the Big Lost River have to spend money on legal fees to fight Telfords and others who are gaming the system. They know that eventually more will cease to protest, because of money or will. Please Stop it now.

Darrell E. McDonald