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JUL 17 1998

Department of Water Resources

July 15, 1998

Mr. Karl Dreher, Director
Idaho Dept. of Water Resources
1301 N. Orchard
Boise, ID 83706

Dear Director Dreher:

Idaho Rivers United wishes to amend its two water right protests and petition to intervene for State of Idaho water rights proposed for aquifer recharge on the Snake River. Subsequent to our original protest of water right no.'s 02-07473 and 02-07474 in the mid-Snake reach near Twin Falls, Idaho dated May 19, 1998 a new water right public notice was published on July 9 and July 16 in daily newspapers throughout southern Idaho. At the time of our May 19, 1998 protest we submitted protest fee payment of \$50 for the two aquifer recharge rights and \$25 to protest three combined water rights by Mitch Sorenson. Apparently only one fee of \$25 was necessary for the aquifer recharge rights and one fee of \$25 for the Mitch Sorenson protest. We would appreciate a refund of \$25 or a credit.

Idaho Rivers United maintains its original two protests for all the reasons cited in the protest on May 19, 1998. In addition, we protest and petition to intervene in these additional water right applications for aquifer recharge in the name of the state of Idaho:

01-07131 - Progressive Irrigation District - 230 cfs
01-07132- Enterprise Canal Co. - 283 cfs
01-07133 - Snake River Valley Irr. Dist.- 682 cfs
01-07134 - Peoples Canal & irrigation Co. - 475 cfs
01-07135 - New Sweden Irrigation District - 949 cfs
01-07136- Farmers Friend Irrigation Co. - 537 cfs
01-07137- Harrison Canal & Irrigation Co. - 698 cfs
01-07138- Aberdeen Springfield - 1387 cfs
01-07139- Rudy Irr. Canal Co. Ltd. - 110 cfs
01-07140 - Rigby Canal & Irrigation Co. - 253 cfs
01-07141- Burgess Canal & Irrigation Co. - 1095 cfs
21-07574 - Twin Groves Irr & Mfg. Co. - 160 cfs
21-07575 - Salem Union Canal Co. Ltd. - 339 cfs
21-07576 - Fall River Irr. Co. - 294 cfs
21-07577 -Egin Canal Co. - 399 cfs
21-07578 - St. Anthony Union Canal Co. - 568 cfs
21-07579 - Independent Canal Co. - 337 cfs
21-07580 - Last Chance Canal Co. - 94 cfs

Idaho Rivers United members use and enjoy the Snake River, Henry's Fork of the Snake and its tributaries and the Fall River. Our members specifically use these rivers for recreational boating, fishing, wildlife viewing, hunting, photography, and contemplative recreation. Our members value the biological diversity these rivers provide.

We are extremely concerned that the proposed aquifer recharge projects could potentially de-water the stream segments of the Henry's Fork region and further adversely impact the upper Snake and mid-Snake. Further depletion of wintertime flows or spring runoff could impair the recreational experience; cause adverse

impacts to resident fish and wildlife; adversely impact endangered snails, salmon and sensitive sturgeon; reduce instream flows; reduce flood flows which contribute to stream health and function; raise water temperatures and further impair water quality. The issuance of these water rights may cause irretrievable impacts to the ground and surface waters of the Upper Snake Plain aquifer and the Snake River and its tributaries.

In summary, we believe that approval of these twenty water right applications are not in the "local public interest" under IC 203A(5), are contrary to the conservation of water resources within the state of Idaho, and may be speculative in terms of the amount of water actually available and time frame of availability.

Idaho Rivers United requests that a hearing be scheduled to consider the public impacts that these twenty water right applications may have. We recommend denial of the water right applications until such hearing occurs. Laird Lucas of the Land and Water Fund of the Rockies is designated counsel for Idaho Rivers United. Mr. Lucas should be served with all correspondence related to this matter, as well as the protestant.

Sincerely,

Marti L. Bridges

Marti L. Bridges
Water Policy Director

Dated May 19, 1998

copies mailed to:

Karl Dreher, Director
Idaho Dept. of Water Resources
1301 N. Orchard
Boise, ID 83706

Clarence Parr, Chairman
Idaho Water Resource Board
1301 N. Orchard
Boise, ID 83706

Will Reid
Idaho Dept. of Fish and Game
PO Box 25
Boise, ID 83707

Laird Lucas
LAW Fund
PO Box 1612
Boise, ID 83701

Marti L. Bridges
Water Policy Director
Idaho Rivers United
PO Box 633
Boise, ID 83701

May 19, 1998

208-343-7481

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MAY 19 1998

Department of Water Resources

RECEIVED

MAY 28 1998

Department of Water Resources
Southern Region

BEFORE THE DIRECTOR OF THE DEPARTMENT
OF WATER RESOURCES OF THE STATE OF IDAHO

IN THE MATTER OF
APPLICATION FOR PERMIT TO
APPROPRIATE WATER,
RIGHT NO. 02-07474, IN THE NAME OF
THE STATE OF IDAHO

PROTEST AND PETITION TO
INTERVENE

Idaho Rivers United is an Idaho non-profit corporation representing 1600 members in improving river and stream management in keeping with public interest and public trust considerations. Idaho Rivers United members use and enjoy the Snake River and its tributaries for recreational boating, fishing, wildlife viewing, hunting, photography and contemplative recreational use. Our members have worked hard to protect and enhance the biological viability of the Snake River and its tributaries throughout the basin. Idaho Rivers United has a direct and substantial interest in the above proceedings in that many of our members could be negatively impacted by the proposed appropriation of water for groundwater recharge.

Idaho Rivers United is concerned that new appropriations of water from the Snake River will adversely impact the river itself by impairing the recreational experience, cause adverse impacts to resident fish and wildlife habitat, reduce instream flows, reduce flood flows which contribute to stream health and function, raising water temperatures (through irrigation runoff) and further impairing water quality. The issuance of this water right may cause irretrievable impacts to the ground and surface waters of the Snake River, adversely impact the family farming tradition and is not in the public interest.

In summary, we believe that approval of this water right application is not in the "local public interest" under IC 42-203A(5); is contrary to the conservation

of water resources within the State of Idaho under IC-42-203A(5); may adversely impact the family farming tradition and is speculative in nature.

Idaho Rivers United requests that a hearing be scheduled to consider the public impacts that this proposed water right may have. We recommend denial of the water right application until such hearing occurs. Laird Lucas of the Land and Water Fund is designated counsel for Idaho Rivers United. Mr. Lucas should be served with all correspondence related to this matter, as well as the protestant.

Dated May 19, 1998

Marti L. Bridges

Marti L. Bridges
Water Policy Director

copies mailed to:

Karl Dreher, Director
Idaho Dept. of Water Resources
Statehouse Mail
Boise, Idaho 83720

Clarence Parr, Chairman
Idaho Water Resource Board
1301 N. Orchard
Boise, ID 83706

Laird Lucas
Land and Water Fund of the Rockies
PO Box 1612
Boise, ID 83701

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Water Policy Director
Idaho Rivers United
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Boise, ID 83701

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MAY 21 1998

Department of Water Resources

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