

PARMA PONDS LLC

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lassenllc@msn.com

June 19, 2015

Rachel Neely
Administrative Assistant I
Western Regional Office IDWR
2735 Airport Way,
Boise, ID 83705-5082

RECEIVED

JUN 22 2015

WATER RESOURCES
WESTERN REGION

Dear Ms. Neely:

We were surprised to receive your May 20th letter requesting a prehearing conference as to Application 63-33643. This was the first we heard about any protest related to our application.

According to the legal notice for our application as published in the Idaho Press Tribune, Canyon Legal Ads and under the name of Gary Spackman, Director, "The protestant must also send a copy of the protest to the applicant". Mr. Abbott failed to send us a copy of his protest letter and we never have received any notice of this protest from Mr. Abbott to this date. Clearly Mr. Abbott did not follow your rules for protesting as outlined in your notice. Therefore, we formally request you disqualify his protest in this matter. This is a non-issue anyway and I do not want to waste any more of my or others' time.

Mr. Abbott complained to IDWR in the first quarter of 2012 that his field drain was backing up because we had somehow blocked natural drainage as again referred to in his more recent improperly filed protest letter. Rob Whitney of IDWR investigated this issue at that time in 2012. He suggested that I should apply for a POD for the 16" gated culvert emplaced to allow us to cross that portion of the drain to get to our north 6.5 acres of farmland. This was installed along with an alternate additional ungated 16" culvert in the other portion of the drain. The drain just splits and goes into these two culverts. These culverts were installed as part of a Fish & Game project completed in 1998 before we acquired the property. Seeking friendly compliance, we made a POD application which after further guidance from Mr. Whitney resulted in this current application.

When Mr. Whitney reviewed the area, we pointed out that the drain had become clogged with silt and weeds which were retarding drainage. Drain water ultimately leaves our property through an additional culvert under Boulder road to the north. We contracted with Alan Noe to use his equipment to clean out the drain on our property from Mr. Abbott's field drain pipe entry all the way to Boulder road. With further discussion, Mr. Abbott paid for half of the cleanout cost. Mr. Abbott has an additional large drain that enters our property just north of his field drain as well as more drainage from his property to the southeast that enters the upper drain area on our property. Mr. Abbott stated that he never remembered ever cleaning out our drain in all the years he has owned and farmed his property. In 2013, as still a Board Member on the Riverside Irrigation Board, he successfully convinced them to clean out the entire drain on his and our property since he uses Riverside water. Mr. Abbott in the past 17 years has been the only

contributor of waste water to this drain at three points. We have had no further drainage issues since Mr. Noe cleaned out the drain. See enclosed Abbott 16" field drain outlet taken 6-17-15.

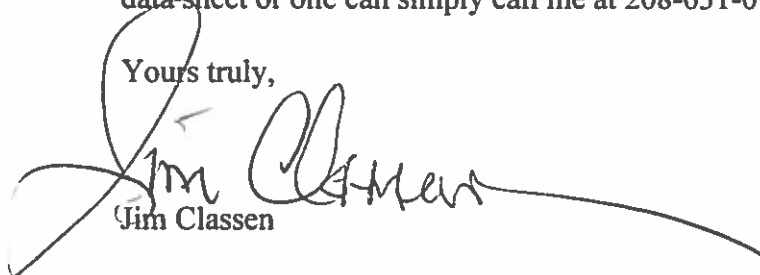
We would like to point out that the Fish and Game installation has been in place since 1998 and it was only in 2012 that Mr. Abbott had drain issues at which time it was obviously due to siltation and weed growth. If this drain is cleaned out occasionally, there are no drainage problems as is the case throughout the rest of the valley.

The gated culvert at the "POD" has never been closed during the past 12 years and we have no plans on closing it. The space-board riser has sparingly been used except during duck season. We also have a "spillway" usually in place adjacent to the riser structure in case the riser gets blocked by un-invited beavers. When the water master, Rex Barrie, visited our property recently for another matter, we reviewed the situation. He mentioned that he did not see any reason to even require a POD since there was always another open culvert and would discuss the area with Mr. Whitney. We do not know if this has occurred.

As current owner of the property, we have no plans to lower any existing structures or remove any gates. We believe Mr. Abbott is not being damaged in any fashion and we have wasted much more time in this matter than warranted. We in no way are trying to cause Mr. Abbott problems with his drainage issues and promptly rectified the only problem since owning the property.

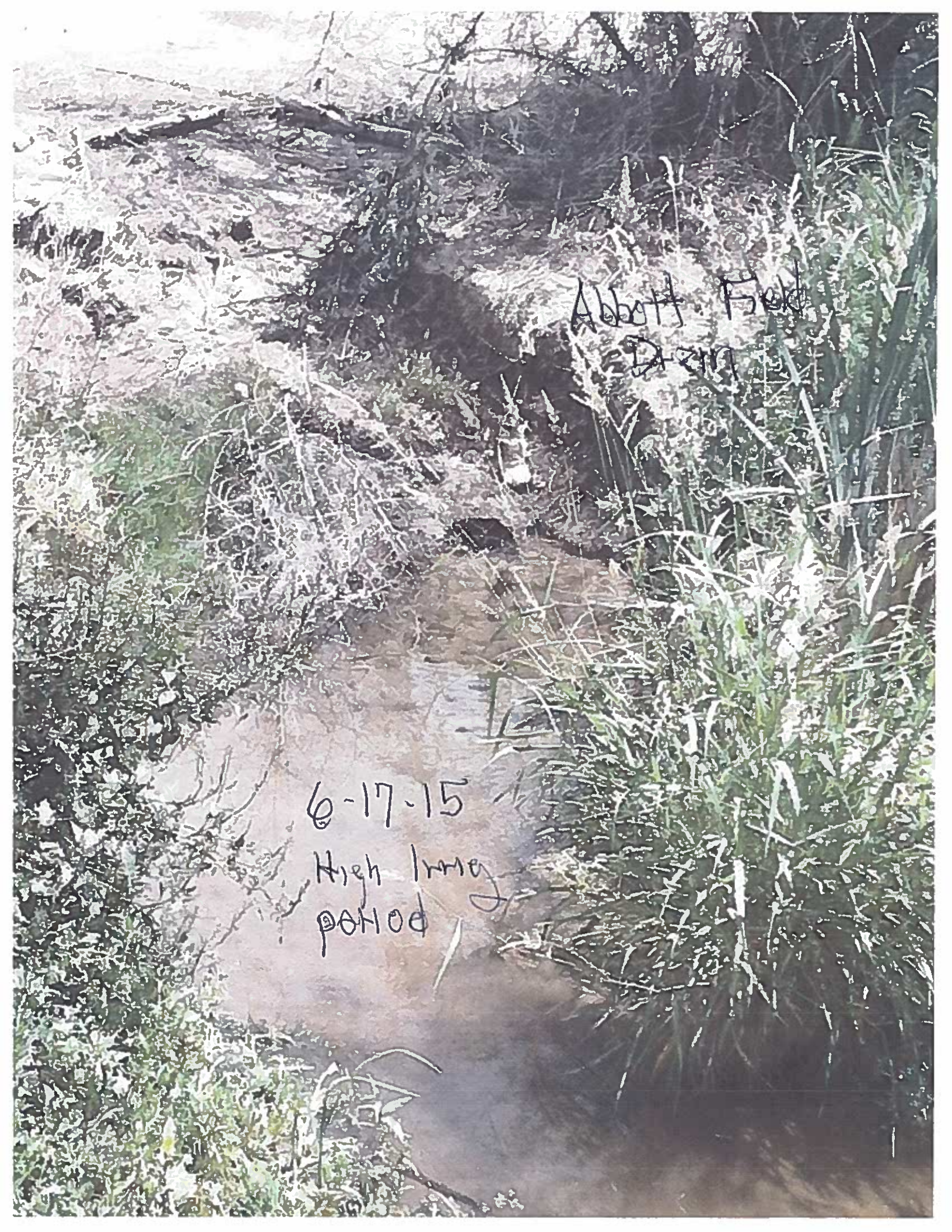
We have indicated available times we can meet to discuss any of these issues on the enclosed data-sheet or one can simply call me at 208-631-0755.

Yours truly,

A handwritten signature in black ink, appearing to read "Jim Classen", with a long horizontal flourish extending to the right.

Jim Classen

Encl.



Abbott Field
Dam

6-17-15

High Irrig
period

JUN 22 2015

WATER RESOURCES
WESTERN REGION

July 2015

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

August 2015

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15 ✓
✓ 16	✓ 17	✓ 18	✓ 19	✓ 20	21	22
23	24	25	26	27	28	29
30	31					

September 2015

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			
		0				

Calendars For:

Jim Classen208-631-0755Please Note: Only mark the dates that you are available for a conference.