

April 4, 2012

Idaho Department of Water Resources
Western Regional Office
Attn: Steve Lester, Water Rights Supervisor
2735 Airport Way
Boise, ID 83705-5082

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WATER RESOURCES
WESTERN REGION

To Steve Lester:

I am submitting this letter in concern for the steady degradation of my well's static water level since the start-up and excessive consumptive use by an adjacent irrigation well owned by a number of Arizona corporationsⁱ.

As senior water rights holder for my area, I am requesting that your office investigate the water level degradation and stop the use of the irrigation well as soon as possible. I ask that the investigation include, but not be limited to, the proper use of this irrigation well, ensuring that the water right provisions for water measuring devices are installed and a means of retrieving the data on a regular basis is established.

I also request your oversight of the wanton waste of the water I have witnessed over the last two years.

I request urgency for your investigation as I have substantial documentation showing the dramatic degradation of my well's static water level since the adjacent irrigation well was activated. Consequently, I am concerned that my well's static water level will drop below my well pump intake thus rendering my home inhabitable without water.

Since 1975, my domestic well water static levels have been routinely monitored and documented by state and federal agencies. In 2010, the Idaho Department of Water Resources noted the degradation of static water levels and has subsequently increased its measurement frequencies. Consequently, there is ample official documentation of the historical water levels and the subsequent adverse impact of the Corporation's irrigation water consumptionⁱⁱ.

Scheff Personal Domestic Well Specifics

- Address: 10435 West Martha Ave., Mountain Home, ID 83647
- Point of diversion: NWNE/Sec.11/Township 02S/Range 05E/Elmore County
- Well Number: USGS 431620115493801 02S 05E 11BAA1
- Water Right Number: 61-11833
- Priority Date: 05/22/1976
- Basis: Decreed
- Status: Active

Corporations' Irrigation Well Specifics

- Address: 9975 W. Martha Ave. Mountain Home, ID 83647. The well location is approximately 2500 ft. south of Martha Ave. and centered east and west on the property.
- Point of Diversion: NESE/Sec.11/Township 02S/Range 05E/Elmore County
- Water Right Number: 61-12112
- Priority Date: 04/20/1979
- Basis: Decreed
- Status: Active

Historical Data

The historical data of static water levels for my domestic well, documented by US Geology Survey (USGS) and Idaho Department of Water Resources (IDWR) show a significant degradation of the static water level.

Data retrieved from the Western Regional Climate Center for Mountain Homeⁱⁱⁱ and National Oceanic and Atmospheric Administration for Southwest Idaho shows average to above average precipitation for these areas over the last three years^{iv}.

The degradation of the static water level in my well coincides with the start-up and use of the irrigation well.

I purchased my property in 1996. At that time the Corporations' irrigation well was inactive.

In 2010, the Corporations' irrigation well was activated and operated in the following stages with the following results:

- **Spring 2010:** Irrigation began with hand lines on approximately 100 acres.
- **Fall 2010:** On September 14, 2010, IDWR performed a water measurement that verified a loss of **4 feet** from previously documented water levels.
- **Spring 2011:** An irrigation center pivot and hand lines were added, increasing the irrigated land size by approximately 125 acres.
- **Fall 2011:** On October 6, 2011, IDWR performed a water measurement that verified a loss of another **9 feet** from previously documented water levels.

Non-Beneficial Use of Irrigation Water

In consideration of the fact that this irrigation well is within the Critical Water Management Area, stewardship of this valuable resource is imperative.

During the irrigation season of 2010 and 2011, the irrigation well water has been carelessly managed. I have witnessed a disregard for the stewardship of this irrigation water as follows.

- On a daily basis, a hand line valve would be left open for hours, running water down a draw and into the desert west of the Corporations' property.
- A pipe from the irrigation well disposes excess irrigation well water into a pond on the northeast portion of the corporation's property.
- At numerous times throughout the irrigation season of 2011, the irrigation center pivot would stop moving. With no one on site to fix the problem, the pivot would flood these areas causing a river of water to run into the desert to the northwest through natural draws up to $\frac{3}{4}$ mile from the center pivot^v.

Summary:

I request urgency for your investigation as there is substantial documentation showing the dramatic degradation of my well's static water level since the adjacent irrigation well was activated. Consequently, I am concerned that my well's static water level will drop below my well pump intake thus rendering my home inhabitable without water.

I am requesting an investigation of the proper use of this irrigation well to ensure that the water right provision for measuring devices are installed and a means of retrieving the data on a regular basis is established. I also request your oversight of the wanton waste of the water we have witnessed over the last two years.

Given the historical static water level degradation, annual precipitation, recharge rates, and the Corporations' excessive irrigation consumption, I extrapolate that my well may possibly become non-functional by the end of this year. As senior water rights holder, this would be unacceptable for me to have to incur this hardship for no fault of my own.

Sincerely,



James C. Scheff
10435 W. Martha Ave.
Mountain Home, ID 83647
208-869-5996

Cc: Ben Fatto Limited Partnership
1223 S. Clearwater Ave, Ste. 103
Mesa, AZ 85209

Cardon Hiatt Investments
1223 S. Clearwater Ave, Ste. 103
Mesa, AZ 85209

SMT Investors Limited Partnership
1223 S. Clearwater Ave, Ste. 103
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Emerson Investments LLC
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Mesa, AZ 85209

ⁱ Idaho Department of Water Resources; Water Right Report;
<http://www.idwr.idaho.gov/apps/ExtSearch/SearchWRAJ.asp>

ⁱⁱ USGS Groundwater of Idaho; Ground Water Levels; http://waterdata.usgs.gov/nwis/uv/?referred_module=gw

ⁱⁱⁱ Western Regional Climate Center; <http://www.wrcc.dri.edu/>

^{iv} National Oceanic and atmospheric Administration; <http://water.weather.gov/precip/>

^v Reference time- date - stamp photos by Jim Scheff, available upon request.