



ERNEST CARLSON
WATERMASTER

STATE OF IDAHO
WATER DISTRICT 120
900 N. SKYLINE DR., SUITE A
IDAHO FALLS, ID 83402
(208) 525-7171 FAX (208) 525-7177

IDWR DIRECTOR
KARL J. DREHER

TREASURER
DALE ROCKWOOD

December 27, 2006

BOARD OF DIRECTORS

Lenard A. Schritter
P.O. Box 449
Aberdeen ID. 83210

TIM DEEG
CHAIRMAN

Certified Mail

RE: Unauthorized Water use

SCOTT CLAWSON
REXBURG

Dear Mr. Schritter,

CRAIG EVANS
BLACKFOOT

Water District No.120 staff has made an investigation of 2006 irrigated lands and water right authorizations within the district using aerial photos and/or satellite imagery. It has come to our attention that approximately 110 acres located in the S1/2 of Section 01, Township 06 South (T6S), Range 30 East (R30E), have been irrigated without a valid water right. Records on file at the Idaho Department of Water Resources (IDWR) indicate that you are the owner of these lands.

WALTER GAY
BLACKFOOT

RICHARD MAYER
ABERDEEN

Attached is a 2006 aerial photo showing a Set irrigation system in the S1/2 Section 01, T6S, R30E. Review of IDWR records shows no water rights appurtenant to the 110 acres of irrigation in question. The aerial photo imagery provides evidence of irrigation in 2006.

RICHARD GIESBRECHT
ABERDEEN

STEPHANIE MICKELSEN
IDAHO FALLS

The water use in question is under the jurisdiction of State Water District No. 120. As Watermaster of this district, I am authorized to curtail unlawful diversions of water. Irrigation without a valid water right is an unlawful diversion pursuant to Idaho Code §42-351. **You are instructed to cease and desist any further irrigation of the approximate 110 acres in the S1/2 of Section 01, T6S R30E. Irrigation of these lands may not resume in the ensuing irrigation season until a valid water right has been obtained or identified.**

TERRELL SORENSON
AMERICAN FALLS

GAYLEN VAN ORDEN
PINGREE

RALPH ISOM
IDAHO FALLS

Please contact our office immediately if you are not the current owner of the lands in question, you believe you have valid water right(s) and or Transfer application(s) filed with IDWR for these lands or you feel our records are in error. I ask that you contact our office within fourteen (14) days from the date of this letter to discuss these findings and any remedy of the unauthorized use. You may contact either Ernie Carlsen or Gene Hansen directly at 208-525-7161 regarding this matter.

DANE WATKINS
IDAHO FALLS

A copy of this letter has been forwarded to IDWR. Pending your response to this letter, **IDWR will determine whether to issue a Notice of Violation and commence any administrative enforcement action** that may include civil penalties and mitigation requirements for unlawful diversions during 2006.



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Regards,

A handwritten signature in cursive script, appearing to read "Ernie Carlsen".

Ernie Carlsen

Water Master Water District 120

Cc: Tim Luke, IDWR

Roger Warner, Eastern Region

Aberdeen-American Falls Ground Water District

Enclosures: 2006 Aerial Photography

T06S R30E Section 01 S 1/2

Owner: Leonard Schritter*

* Per 2005 County Parcel data



-  Irrigated area without water rights
Potential unauthorized use
-  Sections
-  Quarter-Quarter Sections
-  Water rights place of use

Imagery: 6/25/2006 Aerial Photo

