



RECEIVED

AUG 04 2010

Department of Water Resources
Eastern Region

To: Bob Foster, IDWR Salmon Field Office Dated July 28th 2010

From: David A Lowry 366 Sandy Creek Road Salmon Idaho 83467

Mr. Foster I am writing to you regarding my opposing the requested water rights transfer. Transfer application 76630.

My first reason for opposing this transfer is simply this. I have been a rancher most of my life and had numerous neighbors who I have had to share water rights with and I have never seen a situation like I have with the west sandy creek water rights in district 74-G. How on earth has the owners of the applicant from the TJ Ranch been allowed to even take water from west sandy creek without a metering devise for all these years? Can someone in your office please explain this to me? I know in any other district that I have ever had water rights in, if you don't have any means of monitoring the water you are taking you are not getting any water period! You would be shut off immediately, no questions asked by the water master. Why is that not happening in this situation? Numerous times in the past three years even during high water my water level would drop from 1.0 on my metering devise down to dam near nothing. Every single time that this would happen I would go up and find that the TJ ranch had plugged our pipe with plastic so the water would go to there ranch instead. Pat McConnaghy (water master of this district) would take the plastic out just to have it put back in by the TJ ranch a few days later. Do Water masters not have any control here in Idaho? If not then why have one at all if anyone can just do as they please with the water? Even my springs are suffering and putting out less water than they have in the past. This year has been the most noticeable loss! By allowing this transfer would only make my situation regarding the water even worse. I know that Mr. Hanson is hiring an attorney to deal with this matter and unless I see some results regarding metering devises put in by the applicant who I am opposing I will be doing the same.

Sincerely: David A Lowry

*Receipt
E036019*