

Petition to Intervene
Transfer #5089

" " #5090

RECEIVED

JUL 25 1997

Department of Water Resources
Bozeman

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Allen D. Merritt: Regional Manager
Idaho Department of Water Resources
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Consider this my formal Petition
asking for Intervention into the
Water Transfer's N.O.S 5089 and
5090; From the presiding Officer
of a formal hearing, if so required.

Note Below: Direct or Indirect
reasons for Intervention that I
hold in question for Intervention.

1. The area's of common ground,
subsurface and surface waters
will be effected in these Transfers,
by myself and other junior and
senior priority water right holder of
District 45F

Receipt # 50 20356

Receipt # 50 20357

7/7/97

MB

over.

2. In documents provided by Protestant by way of I.D.W.R. I hold in question: Special Use Application Dated Oct 23, 1950 for Water Storage on Forest Service Land at Lake Cleveland

This is only a Application not a Permit. Special USE Permits are usually renewed every 30 years; So the question of a bandament or forfeiter is in question.

3. Transfer Nos #5089 and 5090

Note: an enlargement of the original place of use; Conflicting with the current Moratorium Order.

4. Transfers of this kind before Basin studies in district 45F should remain in question or on hold till After The Snake River Basin Adjudication is Completed.

5. Have proper Deliver Devices been installed in the past for these waters incoming & outgoing prior to the adjudication process, also have these recording been made to I.D.W.R. for water use 5 years prior to the beginning of the adjudication process.

over:

6. Lake Cleveland sits on a figured Quarter that contributes water to numerous other water rights. Will these be effected?

Copies will be sent to listed below
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