

Petition to Intervene
Transfer #5089
" " #5090

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RECEIVED

JUL 25 1997

Department of Water Resources
County of Blaine

Allen D. Merritt: Regional Manager
Idaho Department of Water Resources
1341 Fillmore Street Suite 200
Twin Falls, Idaho
83301-3380

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 affected 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 Quater that contributes water to numerous other water rights. Will these be effected?

Copies will be sent to listed below
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