

October 20, 2008
Darlington, Idaho
83255-

Dept. of Water Resources
Eastern Region
900 N. Skyline Dr., Ste. A
Idaho Falls, ID. 83402

RECEIVED

OCT 20 2008

Department of Water Resources
Eastern Region

Receipt
ED34535

To whom It May Concern:

As an Advisory Board member of District 34, I have had 3 water users of the Leslie area of the District, which I represent, approach me with objections about the water rights transfer Nos. 75006 and 75009. I agree with their objection and file this protest.

I have no problem with using one (1) or even (3) two ponds for the use of pumping surface right water for irrigation use. I do not believe the Hart Ranch needs a water right transfer to do such. The use of 4/1 four ponds for irrigation would probably exceed the limit on water stored for irrigation use.

At the present time, the Hart Ranch does not use surface water to irrigate. They pump all their water for irrigation from wells into closed pivot systems. If they want to expand that ~~system~~ system to include surface water and pump from a pond or two to accomplish this, I have again no objections. I do have an objection to transferring 18.17 C.F.S. to cover the loss of 4 ponds

and then only using ground water to irrigate. this is an enlargement of the water right.

To transfer the surface rights (No. 75006) to year-round use for recreation has no beneficial use and enlargens the right. There is not enough water in the river now to get across the Darlington dikes in winter. Expanding water rights to year-round use will only exacerbate the problem.

A year-round stock water right is an incidental use for what, "1" inch at the field dead gate? the surface right ditch runs right by these ponds; it would serve the stock water needs.

The proposed transfer of ground water rights (No. 5009) is the most objectionable. If this transfer is for irrigation, - why is it necessary? There is no need for a transfer to pump ground water into one or two ponds to be repumped into the pivot systems. To enlarge the ground water rights by maintaining 4 ponds while pumping these rights in a closed irrigation system is objectionable - (or in an open pumping system with 4 ponds that are not all necessary.)

To enlarge these rights by maintaining 4 ponds in the non-irrigation season is just wrong. The 4 ponds are then recreation. To provide a river for recreation.

water to maintain ponds year-round is an expansion of the water rights that is objectionable to the point of surprise.

That section of the river near where the ponds are located is the Darlington dinks and has been the subject of recent studies as to river losses. The one correlation found was the connection between river losses in the dinks and rising water and fish habitat just below the dinks. To approve a ground water transfer from just irrigation to year-round recreation for use in private ponds is not only objectionable because of enlargement of the right, but socially irresponsible by taking a large amount of water out of the aquifer when more water is being sought to replenish the aquifer during the non-irrigation season.

The objection to both transfers No 75006 and No 75009 is the expansion of water rights. There is no beneficial use in these transfers and they should be denied.

Thank you for considering my objections and protest,

Sincerely,

M. J. Dotzenrodt

Mike Dotzenrodt

3776 W 3700 N
N. 1/4 4 1/4