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DEPARTMENT OF
WATER RESOURCES

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January 21, 2008

IDAHO DEPARTMENT OF WATER RESOURCES
322 EAST FRONT STREET
P.O. BOX 83720
BOISE, IDAHO 83720-0098

RE: PETITION FOR RECONSIDERATION Transfer No. 74120
Water Right Nos.: 29-4274, 29-7060, 29-10788 (Split into 29-13805 & 29-13804)

The intent of the requested transfer was to consolidate, simplify and efficiently administer the use of the fragmented water rights we hold on our contiguous properties along Pocatello Creek Road. The condition of approval, requiring installation of the extremely high cost data logger-measuring devices at the existing underground diversion points create cost burdens far in excess of any anticipated savings associated with the requested consolidation of the small irrigation systems. Also, installation of the devices requires considerable excavation and modification of the existing underground irrigation systems located within landscaped areas of our property.

The intent of Section 42-706 Idaho Code was to expeditiously create measurement districts within the Eastern Snake Plain Aquifer (ESPA). Our east Pocatello Creek Road property must have been mistakenly identified to be within the ESPA, but is actually located outside the ESPA East Water Measurement District boundary and is not part of the ESPA Common Groundwater Supply (see attached IDWR map).

In view of the above, please reconsider the condition requiring installation of the high cost data logger-measurement devices.

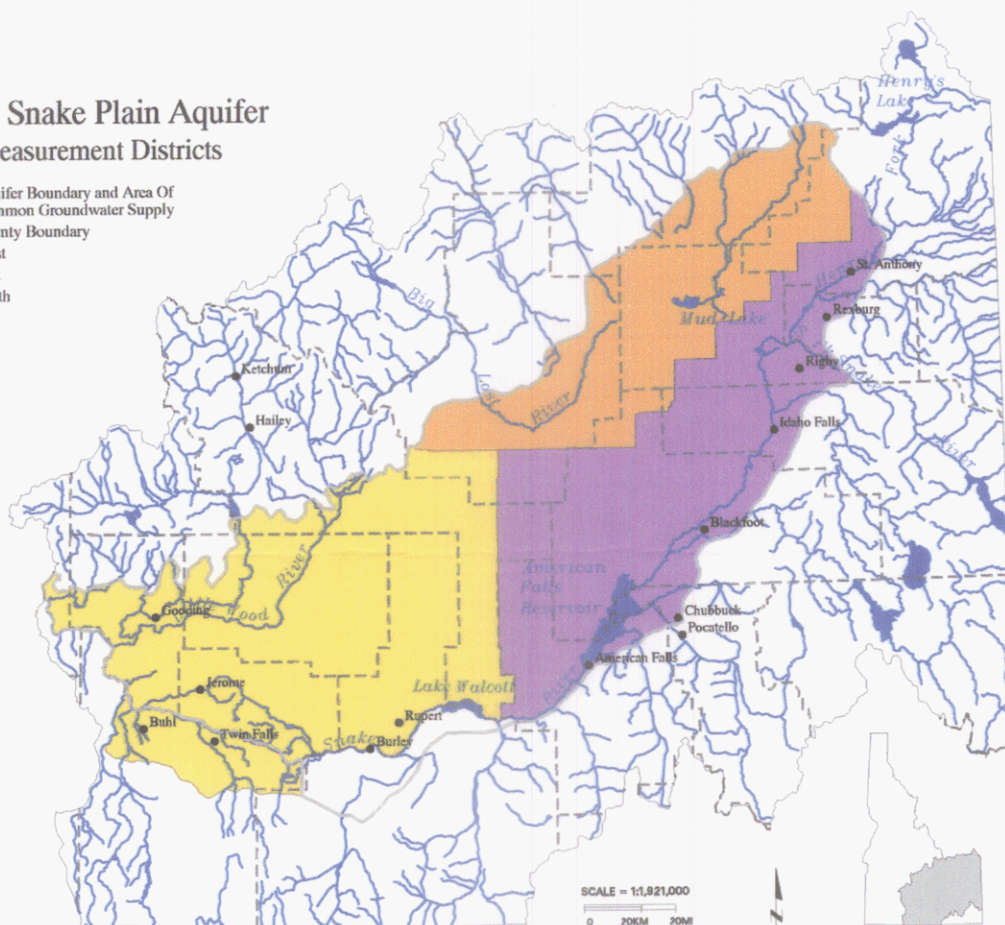
If for some reason you decide to not remove the above mentioned measurement devices installation condition, it does not make any economical sense to consolidate the water rights, and therefore, we want to keep the water rights in their current status, and hereby withdraw Transfer Application No. 74120.

Sincerely,


Kathleen Seibert and Michael W. Seibert

Eastern Snake Plain Aquifer Water Measurement Districts

- Aquifer Boundary and Area Of Common Groundwater Supply
- - - County Boundary
- West
- East
- North



Source: IDWR data