



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 27, 2004

Mike Reid
Paradise Springs Farm
550 South 450 West
Victor, ID 83455

RECEIVED

JUN 01 2004

Department of Water Resources
Eastern Region

Dear Mr. Reid:

I have reviewed your letter to me dated May 14, 2004, as well as your earlier letter to the Interim Legislative Committee on Natural Resources dated April 7, 2004. I have also read the report prepared for you by Brockway Engineering titled: "Evaluation of the Impact of Groundwater Pumping on Paradise Springs, Teton County, Idaho," dated March 18, 2003.

Regarding the work of the Interim Committee on Natural Resources, the Committee intends to address ground water issues generally on a state-wide basis. The purpose for highlighting certain areas is to provide the legislature with a broad-based sample of the different kinds of issues that exist involving ground water. This does not mean that problems in your area or other areas that have not been highlighted will not be addressed.

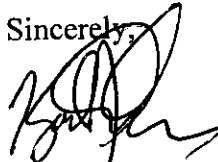
Regarding your May 14 letter, I strongly disagree with your statements about the activities of the Department of Water Resources. However, you clearly have spent resources in retaining Brockway Engineering to investigate the effects of ground water diversions on Paradise Springs. As a next step, I request that you contact Brockway Engineering and authorize them to release the ground water model and all associated information used to develop the model, including input data, to the Department of Water Resources. This would allow the Department to review the basis for the conclusions set forth in Brockway's report of March 18, 2003, and determine what subsequent steps may be appropriate.

You also inquired about an alleged suggestion from Ron Carlson that a solution for the shortages to senior priority rights could be to construct a well to fully supply water to the senior priority rights. Such an action may be appropriate. Under Idaho's prior appropriation laws, a junior priority water right is not subject to curtailment to supply a prior right if the holder of the junior right can provide replacement water to the senior right in an amount equal to what would have been supplied through curtailment of the junior right.

Mike Reid
May 27, 2004
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Assuming you authorize Brockway Engineering to release the ground water model and associated information, please confirm such action with my office. If you choose not to authorize the release of the model, I request notification of that decision as well.

Sincerely,

A handwritten signature in black ink, appearing to read 'Karl J. Dreher', written over the word 'Sincerely,'.

Karl J. Dreher
Director

c: Ron Carlson – IDWR Eastern Region
Charles G. Brockway – Brockway Engineering