

State of Idaho Department of Water Resources
1301 N. Orchard St. PO Box 83720 Boise, Id.
83720-0098.

July 21, 2004

Attention

Gary Spackman, Water allocations Bureau. Chief.

In regard to the final order issued to ground water right holders within Water district Basin 34, Big Lost River, for mitigation to surface water right holders listed as the Jensens by a plan apparently, the only one submitted as acceptable to IDWR to pump ground water from an unused well adjacent to Jensen farm and those required mitigators to pay for the cost of operation.

I agree to pay my proportionate share of the cost of operation. See paragraph 11 of the order. My proportionate share being based upon my percentage of all ground water being pumped within water district 34.

However I want it noted and put on file that I do it under protest for the following reasons.

1. IDWR agreed to have a public meeting 8-2-04 to discuss the issue with the general public and reach a consensus with the general public.

2. IDWR accepted the plan promoted by the advisory board who should have presented the plan for acceptance by the water users.

3. The order is made prior the Jensen being unable to receive their decreed water, with it to be implemented based on an estimated date of loss by IDWR.

4. The water of one of those making the call for mitigation (Jack Jensen) has not been used on the farm ^{for a portion of the irrigation season} it is decreed to with Jensen using his supplemental well and allowing the surface water to go to another farmer.

5. The method accepted for mitigation (pumping ground water) further adds to the depletion of the ground water and surface water that makes it necessary to provide mitigation

6. I recognize mitigation is required by law, However this action will make it necessary for all surface water users in this basin 34 to file for mitigation from ground water users in 2005 and subsequent years.

7. This action is causing additional discord, bad feelings and division in a valley with already considerable contention.

It is causing further financial burden on many struggling to meet financial needs.

Robert D. Waddoups

Holder of a ground water right
located in water district
basin 34.

2850 N 3474 W

Moore, Idaho 83255

Crystal,

This should be added to the
M. Sorenson Plan

Tim