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WATER RESOURCES
WESTERN REGION

Feb. 17, 2004

To: Idaho Dept. of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705

From: West Reynolds Irrigation District
10619 Youngs Ln
Melba, ID 83641

Re: Protest of permit application 57-11629 Junayo Ranch LTD
Partnership

West Reynolds Irrigation District, who are members that use the Upper ditch and the Pump ditch for the delivery of their Reynolds Creek water rights. Those members with water rights in Reynolds Creek are Jerry Benson, Goering & D. Muller, Rose & Dan Muller, Johnston, Jerry Muller, Tom Hook, Jaca Family Prt. L.P., Dean Young, and Goering & C. Hook. We are requesting permission to protest at this late date, and participate in the hearing for Junayo Ranch LTD Partnership's application 57-11629.

West Reynolds Irrigation District objects to Junayo Ranch LTD Partnership's permit application 57-11629:

(a) this application for permit for diversions to storage reduces the quantity of water available to the existing water rights on Reynolds Creek.

(b) this application for permit reduces the supply of water necessary to satisfy existing water rights of the owners listed above. Applicant is requesting three points of diversion from Macks Creek, a tributary to Reynolds Creek, and the application lists no dates for when the diversions are allowed. The three ponds already constructed are capable of holding more than twelve-acre feet of water. This application apparently allows for a continuous diversion to permanently maintain twelve-acre feet.

(c) this application is not made in good faith. The ponds for storage have already been constructed, and only now, after a protest by the watermaster to the Idaho Department of Water Resources, did the applicant apply for a permit.

(e) this application is in conflict with the local public interest. All of the water right owners on Reynolds Creek, including Junayo Ranch LTD Partnership have worked together to establish and resolve early season and high-flow water rights on Reynolds Creek, in the Reynolds Creek Adjudication, and in the Snake River Basin Adjudication. This application forces conflict upon the water-users on Reynolds Creek as to whether the permit interferes with the flow

triggering the break between high-flow water and the delivery to the "lower users".

The proposed complicated method of measurement on Macks Creek diversions, and the three more proposed diversions, places a huge expense on the prior water right owners for payment of the watermaster to follow the measured water through that system. If the director of the IDWR approves of this application, his order must include a method of water measurement that is simple and efficient for the watermaster, and require permanent measuring devices on Macks Creek.

(f) this application does not conserve water resources within the State of Idaho. It allows for more exposed surface area on the storage ponds that is evaporated away.

Dan P. Muller
Mr. Dean Young
Martin Jaca