

AUGUST 2, 1994

RE: Goose Creek Water Diversions and Water Rights

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AUG 05 1994

Department of Water Resources

Dear Sir:

As you know the Oakley Canal Company is a wateruser of Goose Creek and Trapper Creek, and a Water Right holder of water decreed as set forth in the Whittle Decree, more particularly described as Oakley Canal Company VS. Whittle et. al., February 21, 1925.

The Oakley Canal Company feels that due to the fact that the Goose Creek Water District has been inactive for a number of years, the Canal Company's Rights as stated in the Whittle Decree have in the past, and are still being damaged.

We beleive that because Waterusers above the Oakley Reservoir are not adhering to the Decree, the Canal Company's Rights are being jepordized.

Some of the problems we feel need attention are:

- (1) Turn on and shut off dates for the diversion of water are not followed as described in the Decree.
- (2) Amount of water diverted out of Goose Creek and Trapper Creek, is more than the decree allows.
- (3) Proper controlling and regulating works for the diversion of water is nearly non-existing.
- (4) Dams have been placed in the Creeks in numerous places other than where the Decree calls for. Each of these dams back the water up to the point that subirrigating of the meadows is occuring, which is inconsistant with the Decree.
- (5) Although the Decree clearly states that Waterusers in the State of Utah are to be regulated by the Whittle Decree, there is in some minds doubt to this fact.

The Oakley Canal Company feels that if these problems are not addressed the Canal Company's Rights will not only continue to be damaged, but the problems and the damage will rapidly compound.

We would like to request that the Director of the Idaho Department of Water Resources please step in and help correct these problems, by setting up a meeting with the Goose Creek and Trapper Creek Waterusers, and the Department of Water Resources, to discuss the Decree and the lack of regulation above the Oakley Reservoir. And if necessary activate the Goose Creek Water District, for the regulating of Goose Creek and Trapper Creek according to the Whittle Decree.

If we can be of assistance please let us know.

Respectfully,

For the Oakley Canal Company

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Tim

im not sure if
this is a complete
list of waterusers.
Its all I know about
them
