

JULY 20, 2004

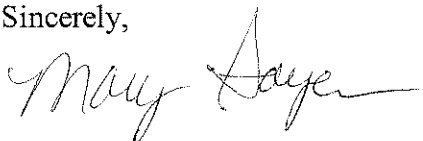
TO: STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
1301 NORTH ORCHARD STREET  
P.O. BOX 83720  
BOISE, ID 83720-0098

RECEIVED  
JUL 21 2004  
DEPARTMENT OF  
WATER RESOURCES

**PETITION FOR RECONSIDERATION**

1. After studying the 1992 report, and listening to a highly qualified hydrologist who has extensively reviewed this report, and is familiar with the Big Lost River Valley over the past 20+ years, we are very concerned that a much more comprehensive study must be done to justify shutting off all the wells in this agriculturally depressed region. As a result we are petitioning for reconsideration of the Cease and Desist Order for water users of District 34.
2. The Jensen's are still irrigating the acreage in question and have not suffered injury that the rest of District 34 water users can be held liable for.
3. The meeting called for in a letter to water users of District 34 from Mr. Dreher for August 2, 2004, should take place before the Cease & Desist Order goes into effect. Many irrigators need to have questions answered and be allowed to communicate with the board in order to understand just what their rights are. Many water users have attempted to mitigate and were turned down and need a better understanding of why their mitigation plans do not qualify.
4. Many of us have had wells off for weeks during this irrigation season, due to pump and sprinkler problems, as well as the extra rain this year, and should be allowed to mitigate with these non-pumping days. We want a valid reason as to why this plan is not being accepted as valid mitigation.
5. The precedence set by the mitigation in this case could have far-reaching effects in every water district in the State.
6. We are also concerned from reports we have heard that shutting off the wells, will only increase the effects of the drought by sending the water out of the valley and not returning the water into the ground. This is a big reason that further studies need to be done on the hydrology of the valley before it is ruined by the economic impact of lack of water.
7. The monetary compensation ask (expected) for by the Jensen's could become the beginning of a never-ending scenario to be followed by other senior water holders and we are very concerned to go this route.

Sincerely,



Byron & Mary Sayer  
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