

DEC 13 2005

DEPARTMENT OF  
WATER RESOURCES

Bryce A. Contor  
PO Box 94  
Iona ID 83427  
December 6, 2005

Karl Dreher  
Director, Idaho Department of Water Resources  
PO Box 83720  
Boise ID 83729-0098

Re: Proposed water district in the region of Administrative Basins 31 and 32

Dear Director:

Please enter this letter into the official hearing record for the proposed creation of a new water district or districts in the Mud Lake area. Please consider these comments in drafting the final order to create a district or districts.

1. In 1997, 1998 and 1999 I worked for the North Water Measurement District measuring discharge from wells in the Mud Lake/Monteview/Hamer/Dubois area. I have visited all the wells that deliver water into Mud Lake and most of the other irrigation wells within the proposed water district.
2. In 1999, 2000 and 2001 I worked for the IDWR Adjudication Bureau in the Eastern Region Office. During that time I processed the recommendations for many of the ground-water rights in the area, including all the rights of the Mud Lake Water Users Association and Level Canal Company. This included careful review of the procedure known as the Mud Lake Allotment System and the decrees upon which it was based. I participated in the process of confirming this historical practice in the Snake River Basin Adjudication recommendations.
3. In 2001 and 2002, while employed by University of Idaho, I worked with the watermaster of Water District 31 to correctly understand the water budget associated with ground-water and surface-water diversions to Mud Lake, storage in the lake, and deliveries from the lake.
4. The above experience gives me a reasonable understanding of the operation of the Mud Lake accounting system and the physical operation of the wells that deliver water into Mud Lake for storage or for delivery to points of rediversion.
5. It is my opinion that including these wells both within Water District 31 and within any new water district would create administrative ambiguity, an unnecessary burden for watermasters of both districts, and an unnecessary

burden for owners of the wells.

6. Water District 31 can perform any and all necessary administrative functions for these wells. There is no function that a new water district could potentially perform which Water District 31 cannot perform.
7. Because the new water district(s) are not proposed to include any surface water rights, the watermaster(s) of the new district(s) could not administer the Mud Lake Allotment System and therefore could not properly administer the wells that deliver water to Mud Lake.
8. Wells that deliver water into Mud Lake must remain solely within Water District 31 and solely under the administration of the watermaster of Water District 31.
9. The particular wells that must remain in Water District 31 are associated with individual water rights enumerated in a document recorded at the Jefferson County Courthouse. This document is incorporated in the partial decrees by reference in the remarks and conditions of the water rights.
10. Additional wells within the North Water Measurement District are currently measured and reported by Water District 31, though not delivered into the lake. There may be additional administrative efficiency to be gained by assigning these wells to Water District 31 rather than to the new water district. However, assigning any individual well to more than one district would create administrative ambiguity and undue burdens on watermasters and owners.

Thank you for your consideration.

Sincerely,



Bryce A. Contor

cc: Water District 31  
Mud Lake Water Users Association