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EASTERN WATER MEASUREMENT DISTRICT
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Karl
WD 120

RECEIVED

APR 17 2006

DEPARTMENT OF
WATER RESOURCES

April 11, 2006

IDWR DIRECTOR
KARL J. DREHER

Karl Dreyer
IDWR
1301 N Orchard
Boise, ID 83706

TREASURER
DALE ROCKWOOD

ADVISORY COMMITTEE

Dear Mr. Dreyer,

DAVID NEF
CHAIRMAN

Please find enclosed a "new" Resolution 10" presented by the East Water Measurement District advisors and members. See also the enclosed "Letter of Concern". They have asked that I forward these to you.

LINDEN BUTIKOFER
IDAHO FALLS

Sincerely,

SCOTT CLAWSON
IDAHO FALLS

MARK LOVELL
RIGBY

Terry Klipfel
East Water Measurement District Secretary

KATHERINE MCLAIN
RIGBY

ED CONN
REXBURG

SHANE SUTTON
REXBURG

New Resolution #10

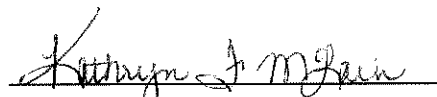
WHEREAS the Director of the Idaho Dept. of Water Resources has proposed expanding the boundaries of Water District No. 120 in portions of Basins 25 and 35 overlying the Eastern Snake Plain Aquifer (ESPA), and

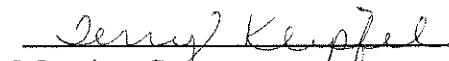
WHEREAS, the Director will propose sometime in 2006 further expansion of Water District No. 120 in a portion of Basin 27 overlying the ESPA, and propose creating a new water district in portions of Basins 21 and 22 overlying the ESPA, to be designated as Water District No. 100, and

WHEREAS the proposed expansion areas of Water District No. 120 and the proposed creation of Water District No. 100 are currently located within the boundaries of the ESPA East Water Measurement District, and

WHEREAS assessments are collected for the purpose of measurement and reporting from certain water right holders within the East Water Measurement District,

NOW THEREFORE BE IT RESOLVED, that if any funds remain in the East Water Measurement District account after the formation of Water District No. 100 and the expansions of Water District No. 120, and after the dissolution of the East Water Measurement District, that those funds be credited proportionately to the former East Water Measurement District water users within their new water districts. Former East Water Measurement District water users are those users who were in the measurement district in 2005 and subject to 2005 measurement district expenses.


Meeting Chairman


Meeting Secretary

Resolution 8
Letter of Concern to the Director of IDWR

WHEREAS, the Director of the Idaho Department of Water Resources is in the process of developing water management rules for the State, and;

WHEREAS, these rules will set forth the basis for administering surface water and ground water rights conjunctively, and;

WHEREAS, these rules will provide the basis for day-to-day administration and regulation of all water rights, and;

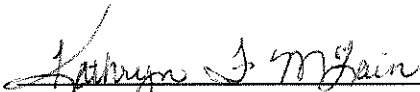
WHEREAS, the same administrative processes used to distribute and regulate surface water uses are not applicable and appropriate for the administration of groundwater, and;

WHEREAS, the director's draft "umbrella" rules do not recognize the need for different administrative processes;

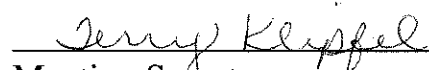
NOW THEREFORE BE IT RESOLVED by the water users of the East Water Measurement District, meeting this 13th day of March, 2006, That the Director of the Idaho Department of Water Resources be encouraged to draft rules that recognize the practical differences between ground water and surface water administration. These considerations should include:

- 1.) Recognition that rate of diversion is not a reasonable basis for regulating groundwater uses.
- 2.) Recognizing that current methods for collecting or computing water diversion data only allow the acquisition of monthly volumes.
- 3.) Recognition that for all purposes pumping data are of less value than depletion values generated by determining the evapo-transpiration data for the crops being grown.
- 4.) Recognizing that any injury to senior surface water users will generally be after-the-fact and real-time administration of ground water use has no real-time benefits.

BE IT FURTHER RESOLVED that the director be encouraged to support legislation that would allow the measurement of consumptive use rather than diversion rate in complying with the requirements of §42-709, Idaho Code.



Meeting Chairman



Meeting Secretary