

Attn: Karl Dreher, Director

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JUL 31 2001

Department of Water Resources
Eastern Region

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Department of Water Resources

July 31, 2001

Dept. of Water Resources
900 N. Skyline Dr.
Idaho Falls, ID 83401

In May of this year I installed a measuring device on the P-12 ditch at the point of diversion. The purpose, to have an accurate measurement of any and all water Bar G Farms Ent. is entitled to. Since that time, this water right has not been met.

First, there were three violations in mid-June on my ditch. On one occasion I, along with the water-master, discovered my gate completely shut. Twice, we found boards placed in the gate completely blocking the water flow through my ditch. According to the secretary of this water district, these offenses have not been recorded as of the date of this letter.

Secondly, there is a well owned by another water user located less than 1/4 mile from my point of diversion. This well is used to pump water from the ground into an approximately 3/4 mile long ditch which services two other pumps. Each of these pumps are used on two separate ranches, and supplies water for 3-4 pivots, and 4 wheel lines. The water level at my gate has consistently dropped by two inches each time the pump is turned on. Within 24 hours of the pump being turned off, the water level rises by two inches. *see attachment A.*

Third, there are no appropriate measuring devices in the P-11 or P-13 ditches, both of which effect the operation on the Bar G Ranch. According to the water-master, the P-11 ditch has had 20-40 cfs (at any given time), flowing through it. Not only is it difficult to divert my portion of water to irrigate, the large flow of water has caused substantial damage to the land due to erosion. There are sections of this ditch measuring 40 feet

wide, sections where the fence had to be restaked, and one section that is now within a foot of the corral. The P-13 ditch takes water out of Spring Creek, which is diverted across the Pahsimeroi River. The users of this water claim Bar G Farms Ent. has no claim to this water irregardless of priority date. As of the date of this letter, P-13 remains completely open with no way of quantifying how much water is being used. At the same time, the water right for Bar G Farms has yet to be met.

At this point, I am requesting information that can assist me in managing this resource. If the water-master is unavailable, who is responsible for enforcing penalties on violators of the water right laws? How are wells measured, and what steps can I take to avoid any obvious effect on the water level at my headgate? How can water rights with younger priority dates that are above me on the ditch or river continue to be met, while my water right is not? If a water right has an older priority date, where do we go to get the water? Who is held liable for loss of crop or property damage due to the inadequate measurements of water either diverted through my property, or above my point of diversion?

I would like the answers to these questions and any information that can be of help returned to me in written form. If I can answer any questions, or further information is needed, I can be reached at (208)876-4215 between 6:30am-7-30am, or, leave a message and convenient time to return your call.

Sincerely,


Billy Gydesen, Manager

Bar G Farms Ent.

P.O. Box 175

May, ID 83253

cc. Jim Dowton Sr.
Ralph Hatch

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Attachment A.

In reference to the third paragraph, I have observed a possible expansion of the ground water right on the Circle Pi to include the Z bar Ranch. This expansion has created a ground water interference with my water right. I am requesting a call be made to shut down this pump until my water right is met.

Billy Gydesen

A handwritten signature in cursive script that reads "Billy Gydesen". The signature is written in black ink and is positioned below the typed name. A long, thin horizontal line extends from the bottom of the signature towards the right side of the page.