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& Hohnhorst*

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Department of Water Resources

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July 18, 1994

Norman C. Young, Administrator
Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

Re: *The August 1993 Demand for Delivery of
Water Right Number 36-7071, on behalf of
John and Delores Jones*
Our File No. 92-1-530

Dear Mr. Young:

Last summer, you and I corresponded concerning the depleted spring flows and the consequent fact that the Joneses were receiving only about one-half of the water required to supply their prior rights for fish propagation. By letter dated September 1, 1993, you confirmed that the Joneses were not receiving the full amount of water they are entitled to under their right. You also noted that IDWR was evaluating whether pumping of specific wells may be directly reducing the water available to the Joneses. You noted that if fluctuations in the spring flows appeared to be related to pumping of wells, then administrative action to regulate the wells could be taken. You further indicated that if the reduction in spring flows was associated with general reductions in the water supply of the aquifer, then IDWR's actions would depend upon the adoption of conjunctive management rules. Finally, you indicated that you would keep me informed of the results of water level measurements and your efforts to identify nearby wells affecting the Jones' right.

I am writing, first, to request that you provide me with any such water measurements and the results of any further investigations which you have conducted. Secondly, as you may know, the depleted spring flows have persisted and so does the Joneses demand that you deliver their right based on prior appropriation. Accordingly, I would ask that you provide me with documentation of all investigations and data collection or other activities IDWR has undertaken, and any opinions or conclusions you have reached concerning how it is that IDWR will deliver the water to the Joneses. In the event that IDWR believes that administrative action cannot presently be taken,

HL&H
Chartered

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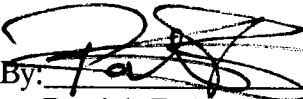
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or will not be taken, in order to distribute water to the Joneses, I would ask that you identify each particular obstacle to distribution. Also, please explain how and when IDWR will take action to regulate ground water pumping and cause water to be distributed to the Joneses based upon priority.

While I appreciate the enormity of the task of distributing water conjunctively, my clients continue to suffer significant financial losses as a result of being deprived of their water. Therefore, I would appreciate a prompt response.

Very truly yours,

HEPWORTH, LEZAMIZ & HOHNHORST,
CHARTERED

By: 
Patrick D. Brown

PDB: jkl
/corr/0713ncy

cc: John W. & Delores Jones
George Lemmon, Watermaster,
Water District 36-A