

Gary Spackman

Director, Idaho Department of Water Resources

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RECEIVED
FEB 25 2014
DEPARTMENT OF
WATER RESOURCES

Mr. Spackman,

This letter represents myself/us as property owner(s), holding water rights in Lemhi County, Idaho in a user-owned delivery system known as the Upper Ditch Delivery System. This ditch delivers irrigation water to acreages on what is collectively known as the Ellis Subdivision.

My/our decree number(s) is/are:

75-14353, 75-14355, & 75-14357
Carnien, et al.

A user-agreed description of the Upper Ditch Delivery System is as follows:

(1) An existing open earthen ditch commonly referred to as the "Upper Ditch", which originates at the Ellis Subdivision Lateral Diversion in Smout Creek and continues in a generally south-westerly and westerly direction across property owned by non-users John and Debbie Jakovac and properties owned by users: Bessie Halverson, Jack and Diane Ellis, and Jerold Wallace. The "Upper Ditch" portion terminates at an irrigation device described herein as the "bubbler". There are measuring devices in the "Upper Ditch" upstream from the "bubbler" at the ditch's diversion point from Smout Creek, at a point on the Ellis property where they withdraw their water, and at a point where the "Upper Ditch" crosses the common boundary between the Ellis and Wallace property.

(2) An existing irrigation device known the "bubbler" which was installed by Mr. Wallace's predecessor -in - interest on the property now owned by Mr. Wallace. This "bubbler" collects Smout Creek water conveyed through the "Upper Ditch" and waste water from the neighboring Keystone Ranch. The "bubbler" raises the commingled water level to build head pressure to deliver the commingled water to user members: Jerold Wallace, Lucy Littlejohn, Lee and Ann Lieberman and Andrea Clifton. The "bubbler" conveys the commingled water to the pipelines described below.

(3) An existing buried pipeline, herein designated as the "bubbler pipeline" which originates at

the "bubbler" and extends in a south-westerly direction across Mr. Wallace's property to convey commingled water from the "bubbler" to the beginning of a surface mainline.

(4) A surface mainline that begins at the down stream end of the "bubbler pipeline" and extends in a southerly direction, along the common boundary of the properties owned by Wallace and Littlejohn, to a buried section of mainline that extends under a cul – de – sac road to deliver water to the Lieberman and Clifton properties.

(5) A buried section of mainline under the cul – de – sac road.

(6) A surface mainline extending from the downstream end of the buried section to where the surface mainline ends along the common boundary of the properties owned by Lieberman's and Clifton.

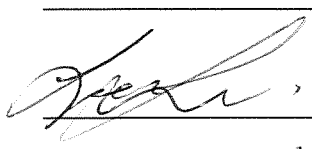
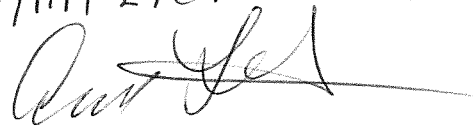
Mr. Wallace has filed a petition with IDWR for the appointment of a lateral manager on the Upper Ditch Delivery System for 2014. I/we would like to be notified immediately of any decision you or your department makes regarding this petition. Mr. David McFarland was appointed by IDWR as lateral manager for the Upper Ditch Delivery System in 2013. I/we would like to recommend that Mr. McFarland be re-appointed as lateral manager, upon his consent, for the 2014 season.

As the water users on the Upper Ditch Delivery System have no formal association, I/we would also recommend that Mr. McFarland be given authority to collect and hold the water assessments, set by IDWR, for payment of his salary and minor, user-approved repairs or maintenance of the Upper Ditch Delivery System.

Sincerely,

Lee Lieberman / Ann Lieberman

Signature:



Date:

2/20/14

480) 510-1210