

To Whom It May Concern,

I am writing in appeal to the formation of Water District 55-B. I represent Kershner Ranch LLC and its senior water rights holdings on Flint Creek, a tributary to Jordan Creek. The reasons I believe the water district shouldn't be in formation are the lack data backing up senior water right's holder Gusman Livestock, the economical feasibility of installing and maintaining a water district, and the futility of a water district.

There doesn't exist any data backing the claims of Gusman Livestock. I would suggest the water holders to maintain weirs in lieu of formation of a water district to collect sufficient data for the state. After a period of five years (or so), the state should evaluate the date and then make the decision upon whether or not we can be in a water district. Tributaries such as Flint and Boulder Creek have little to no impact on the Jordan Valley water situation, but we are willing to measure to provide sufficient data to eliminate these smaller tributaries from the water district conversation as well.

The economic feasibility of installing headgates, weirs, and all sufficient district items is up for question. The years and cost to maintain a water district is not one that all water users will be able to afford or maintain. A solution as simple as a measurement weir would provide data and eliminate the thousands of dollars and time in cost to implement a water district.

After all is said and done, the water district will not solve many of these problems. In fact, it most likely will make them worse. I suggest implementing weirs and measuring stream flow as a cost effective and easy to implement solution for all water users to accomplish. After a period, it would probably show many of the discrepancies that are being contested.

Bryce Kershner

Owner/Manager

Kershner Ranch LLC

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Petition to Reconsider

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To: Director of Idaho Department of Water Resources

I am writing this letter to appeal the decision of forming water district 55B on Jordan Creek in Owyhee County, Idaho. I am asking for this reconsideration for the following reasons:

1. Unfair Distribution of Water

How is it possible to grant 21.36 cfs between the 06 and Gusman Livestock? To my knowledge irrigation users were granted 1 inch per acre except during flood season. How can we form a district which gives more water to two places then even exists in Jordan Creek?

2. Audit of acres being irrigated

Should all acres be accounted for that have claims to water rights?

3. Data

No data has been collected to determine if enough water in Jordan Creek has or hasn't been delivered to Gusman Livestock. More users say water has been sent down the creek then users that say water hasn't been.

4. Have all water users or water right holders received notifications of prior meetings or formation of this water district? Several people have claimed that they have not received any information on meetings or final order letter.

Proposal to delay formation of district:

I propose that the water right holders in 55B select 5 locations to measure the water once a month for 5 years during the irrigation season. Water could be measured with a formula and would not need permanent structures. The locations would be decided by water right holders and director of water resources. When water fell below priority water right holders, then junior water holders will shut water off. Once data has been collected for 5 years, it should give an average amount of water in Jordan Creek. With this information available then a water district could form if needed. This information would warrant if senior rights holders have an inappropriate amount of water allocated to their property.

Thank you for this consideration and I hope it will bring a more accurate or realistic approach to the complex decision of forming the small but complicated district.

Robert Joshua Bruce

X Robert Joshua Bruce

Date: 4-26-22