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BEFORE THE DIRECTOR
OF THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

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IN THE MATTER OF THE DELIVERY CALL OF A & B IRRIGATION DISTRICT FOR THE DELIVERY OF GROUND WATER	))))))	DOCKET NO. _____ **PETITION FOR DELIVERY CALL**

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COMES NOW A & B Irrigation District, an irrigation district duly organized under the laws of the State of Idaho, and petitions the Director of the Idaho Department of Water Resources as follows:

1. That Petitioner A & B Irrigation District is a duly organized irrigation district under the laws of the State of Idaho, with its principal office located at 414 11th Street in Rupert, Idaho.

2. A & B Irrigation District is the beneficial owner of Water License No. 20736, now known as A-36-02080, which entitles the Irrigation District to divert eleven hundred (1100) cfs from one hundred seventy-seven (177) wells for the irrigation of sixty-two thousand six hundred four and three tenths (62,604.3) acres within the irrigation district, with a priority of September 9, 1948.

3. That said water right is held in trust by the United States, for the benefit of the owners of said 62,604.3 acres, all of whom are landowners within and are included within A & B Irrigation District.

4. The 177 wells by which the water under the above-described water right is diverted are located in Township 7 South, Ranges 23, 24 and 25 East of the Boise Meridian; Township 8 South, Ranges 21, 22, 23, 24 and 25 East of the Boise Meridian; Township 9 South, Ranges 21, 22 and 23 East of the Boise Meridian; and Township 10 South, Ranges 21 and 22 East of the Boise Meridian, all within the boundaries of A & B Irrigation District, known as the Northside Pumping Division of the Minidoka Project of the Bureau of Reclamation.

5. That these said 62,604.3 acres of which the above-described water right is appurtenant are located in Townships 7, 8, 9 and 10 South, in Ranges 21, 22, 23, 24 and 25 East of the Boise Meridian, all within the boundaries of A & B Irrigation District.

6. By reason of the diversion of water by junior ground water appropriators located within the Eastern Snake Plain Aquifer, the Petitioner is suffering material injury as the result of the lowering of the ground water pumping level within the Eastern Snake Plain Aquifer by an average of twenty (20) feet since 1959, with some areas of the Aquifer lowered in excess of forty (40) feet since 1959, reducing the diversions of A & B Irrigation District to nine hundred seventy-four (974) cfs, a reduction of one hundred twenty-six (126) cfs from the diversion rate provided in the water right above referred to.

7. That the reduction in diversion rate as the result of the reduction in the ground water tables has reduced the diversions from forty (40) wells serving approximately twenty-one thousand (21,000) acres to a diversion rate which is less than is required for the proper irrigation of lands served by the said wells.

8. The names, addresses and description of the water rights of the ground water users who are causing material injury to the rights of the Petitioner is not now known by Petitioner.

9. That the Eastern Snake Plain Aquifer is an area of common ground water supply within which junior-priority ground water withdrawals must be regulated.

10. That the Eastern Snake Plain Aquifer is a ground water basin which may be approaching the conditions of a critical ground water area and the ground water supply is insufficient to meet the demands of Petitioner and other water rights within the Eastern Snake Plain Aquifer, an area of common ground water supply.

WHEREFORE, Petitioner prays that the Director of the Department of Water Resources of the State of Idaho take such action as is necessary to insure the delivery of ground water to Petitioner as provided by its water right, to do all things reasonably necessary and appropriate to protect the people of the State of Idaho ~~of~~ from depletion of ground water resources which have caused material injury to Petitioner, and to designate the Eastern Snake Plain Aquifer as a ground water management area as provided by Section 42-233b, Idaho Code, and to otherwise supervise the allotment of water from and the use of water from the ground water management area above described to insure the full utilization of the water rights of the Petitioner by the Petitioner for the benefit of the lands within A & B Irrigation District.

DATED this 26 day of July, 1994.

A & B IRRIGATION DISTRICT

By: Larry Moore
President

ATTEST:

Virgil O Temple
Secretary