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PRO SE

District Court - SRBA Fifth Judicial District In Re: Administrative Appeals County of Twin Falls - State of Idaho	
MAY 13 2016	
By _____	Clerk
_____	Deputy Clerk

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS**

IN THE MATTER OF APPLICATION FOR REVIEW)
TRANSFER NUMBER 79357 and 79380,)
TWIN FALLS COUNTY)
)
RICHARD PARROTT)
)
Petitioner,)
)
vs)
)
IDAHO DEPARTMENT OF WATER RESOURCES)
AND Gary Spackman, in his official capacity as Director)
of IDWR)
and Cedar Ridge Dairy, LLC, Intervenor)
)
Respondents)

Case No. CV-42-2015-4552

**RE: MOTION to COMPEL IDWR
to include in the record 1 of 3
unprotected transfers**

COMES NOW the Petitioner, Richard Parrott, moves the court to compel IDWR to include in the record one of 3 unprotected transfers.

FACTUAL BACKGROUND

1. No transfers were ever appropriate as the deep well irrigation pump did not run during the required time period.
2. Triple J Dairy transfer is used by Cedar Ridge Dairy by inference to justify transfer to Cedar Ridge Dairy.
3. When asked formally, IDWR refused to include the 47 pages in the record argument.

Motion to COMPEL IDWR to include unprotected transfer, May 13, 2016

4. The transcript records early on, state that Hearing Officer Ceflo relies on all previous IDWR decisions and record but he in fact relied on Attorney Thompson's verbal representation that the Triple J transfer documentation was proof of appropriateness of further transfers.

5. There was no proof of irrigation use of water except diesel receipts. One year in the early 2000's has receipts equivalent to actual irrigation pump usage. Others are the amounts similar to what would be needed to swath ay and fill a diesel pickup. or

Dates are inappropriate for 79357 79380
CONCLUSION

Fairness to the citizens of Idaho in protecting their resource requires a judicial review of this portion of the transfer approval. Common sense would preclude removal of Triple J transfer. Granting further water transfers from this, near Jackpot location, should be barred. Leno or his successor may continue using the water near Jackpot.

<http://www.idwr.idaho.gov/apps/ExtSearch/Docslmages/h6k801.PDF>

← link for IDWR - Cedar Ridge

Petitioner Requests oral Arguement
And transcript of oral Arguement

RESPECTFULLY SUBMITTED, May 13, 2016

See 4? page Document

Transfer No 77406 title

RICHARD PARROTT, 208-308-7113



Richard Parrott

Pro-Se

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 13th day of May, 2016, I served true and correct copies of the foregoing upon the following by the method indicated:

SRBA District Court
253 3rd Ave. North
PO Box 2707
Twin Falls, Idaho 83303-2707

U.S. Mail, Postage Prepaid
 Hand Delivery
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Garrick Baxter
Meghan Carter
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U.S. Mail, Postage Prepaid
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if working
(in conclusion pg 2)*

Cedar Ridge Dairy, LLC
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IDWR link
if working
(in conclusion pg 2)*