



State of Idaho
DEPARTMENT OF WATER RESOURCES

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DEPT INTERNET WEB SITE: www.idwr.idaho.gov

SOUTHERN REGION

RECEIVED

MAY 19 2005

DEPARTMENT OF
WATER RESOURCES

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 16, 2005

Steve Clelland
IDWR Western Region
2735 Airport Way
Boise, ID 83705

RE: SNAKE RIVER BASIN ADJUDICATION (SRBA) CLAIM(S): 37-2344, 37-472, 37-21460

Dear Steve

Mr. and Mrs. Rodney Hubsmith came in today with questions to their recommendations that are in the preliminary stages in Basin 37 part 1.

They received the 2nd round notice to file a claim on water right 37-2344. There has been no water in this unnamed slough and stream for years. However they paid the filing fee and claimed the water right license while in the office today in case there ever is water available. To get water to the POU of 37-2344, they decided to do an enlargement claim of decreed right 37-472. Therefore claim 37-21460 is an enlargement claim I issued of decreed 1.20 cfs of water right 37-472.

In this manner the POU of original license 37-2344 will have overlapping rights (License 37-2344 and enlargement 37-21460). Enclosed is a copy of the original claimed decreed right, the newly claimed enlargement right, and the newly claimed licensed right.

Please call the Hubsmiths or myself with any additional questions in recommending these rights.

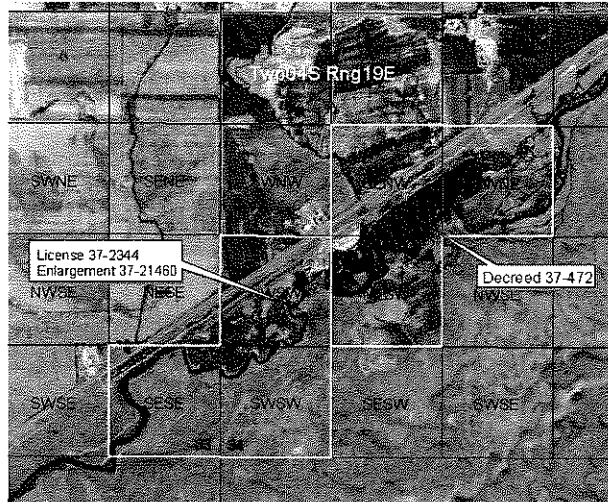
Sincerely

Nick Treasure

Water Resource Agent

E-mail address: nick.treasure@idwr.idaho.gov

Enclosures



04/12/2005

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: June 3, 2005

Water right number: 37-472

RODNEY FRED HUBSMITH
PO BOX 65
RICHFIELD ID 83349
Telephone Number: (208)487-2612

KAYSI SHARON HUBSMITH
PO BOX 65
RICHFIELD ID 83349
Telephone Number: (208)487-2612

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source): *I some times use water Right Number 37-472 decree water to irrigate 15 acres, section 34 - NW 1/4 when my big wood canal water is shut off. I believe this practice was done long before my ownership of this place.*
2. Describe the changes you wish to make in the proposed recommendation: *I would also like the 15 acres in section 34 - NW 1/4 included with the other acres. I have irrigated said acres with the decree water, this is done when the big wood canal water is off due to drought conditions.*
3. Give a brief explanation as to why you disagree with these portions:

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: _____ SIGNATURE: _____

Please print your name: Rodney F Hubsmith.

IDWR State Office, 322 E. Front St., P.O. Box 83720, Boise, ID 83720-0098

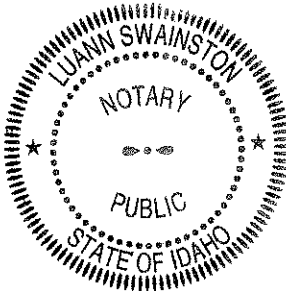
MAY 17, 2005

IN BEING FAMILAR WITH THE LAND DESCRIBED AND OWNED BY RODNEY AND KAYSI
HUBSMITH: NW SW SW SW SEC 34 TS 4S R 19 EBM SE SE SEC 33 TS4S R 19 EBM.
THIS LAND HAS BEEN IN OUR FAMILY SINCE AND TIED TOGETHER SINCE ABOUT 1951
AND I PERSONALLY KNOW THAT THE DECREE WATER #37-472 HAS BEEN USED AT
VARIOUS TIMES ON ANY AND ALL OF THIS LAND.

John F. Hubsmith
JOHN F. HUBSMITH

John F. Hubsmith PERSONALLY APPEARED BEFORE ME AND SIGNED THIS
DOCUMENT.

MY COMMISSION EXPIRES ON 7-19-05.



Luann Swainston
Notary Public