



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Interim Director

February 22, 2007

Dennis M. Lake  
830 Taber Rd  
Blackfoot, ID 83221

REF: SRBA Rights 27-2069 and 27-2075

COPY

*Subject: Basin 27 Objections to Irrigation Use*

Dear Claimant:

This letter concerns the objection filed by the Shoshone-Bannock Tribes and/or the Bureau of Indian Affairs (collectively referred to as "the Tribal Objectors") to your water right in the Snake River Basin Adjudication (SRBA) and the concurrence of the Idaho Department of Water Resources (IDWR) in a proposed settlement agreement to resolve the objection.

It is IDWR's understanding that you have agreed to settle the volume objection made by the Tribal Objectors to your water right by including a specific total annual volume limit on your irrigation water right. Recently, the Tribal Objectors requested that IDWR concur in the settlement agreement. IDWR is reluctant to concur in such settlements because of a lack of information regarding actual diverted volumes in Basin 27. If a volume limit is to be included in a water right, IDWR wants to make sure that the volume limit is as accurate as possible. To this end, IDWR is currently in the process of implementing a study intended to provide a basis for determining diverted volumes in Basin 27. Still, IDWR realizes that that some water users might have information that would provide actual diverted volumes for their water rights, thus eliminating the need to wait for completion of the study. As such, IDWR is requesting any information you have to support historical diversion amounts for your water right. If you have any such information, please send it to the address listed above.

If you have any questions please feel free to contact me at 547-3993.

Respectfully,

Cindy E. Bird  
Adjudication Bureau

CC: BIA, U.S. Dept. Of Justice  
Jeanette Wolfley, Shoshone-Bannock Tribes  
State Of Idaho, David Barber  
Garrick Baxter, Deputy Attorney General  
Dwight Baker, Baker & Harris