

Albert P. Barker
Barker, Rosholt & Simpson LLP
P.O. Box 2139
Boise, Idaho 83701

Craig Hobday July 21, 2008
Hobday & Hobday
P.O. Box 176
Gooding, Idaho 83330

Dear Gentlemen.

I'm writing to you concerning your objection In Re SRBA, Case No. 39576, Subcase No. 37-387D. Enclosed are copies of letters from Idaho Department of Water Resources and Water District NO. 37 & 37M.

These letters will clearly illustrate your objection to the above water right is not valid. You have across the board challenged people in Blaine County with the same basic objection and this is not at all correct to do with out investigating specific data to substantiate the objection.

I therefore request that the objection be dropped and please send a letter that this case is closed and that no further legal action will take place with regard to my water rights which are in good standing. I certainly appreciate your consideration.

Sincerely,

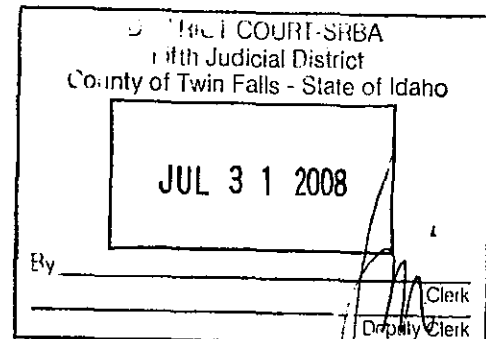

Mr. Ray Barshick
524 Neptune Ave.
Encinitas, CA. 92024

Enclosures:

Copies to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls, Idaho 83303-2707

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise, Idaho 83711-4449

United States Dept of Justice
Environmental and Natural Resources Div.
550 West Fort Street MSC 033
Boise, Idaho 83724





State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037 DEPT INTERNET WEB SITE: www.idwr.idaho.gov

SOUTHERN REGION

C.L. "BUTCH" OTTER
GOVERNOR

DAVID R. TUTHILL, JR.
DIRECTOR

February 25, 2008

RAY BARSHICK
524 NEPTUNE AVE
ENCINITAS CA 92024

RE: SNAKE RIVER BASIN ADJUDICATION (SRBA) 37-387D

Dear Ray

Enclosed is a copy of transfer 3595 that was the basis for the recommendation for this right. The only noticeable difference is in item B of the transfer where the diversion rate is identified as 0.50 cfs but is later conditioned in item # 5 on page two that it is limited to 0.49 cfs with a 2% river loss. That loss was identified as 0.01 cfs mitigation in the recommendation. That mitigation portion is to remain in the river.

There was no storage or wildlife component approved through the transfer or recommended in the adjudication process for your right.

I have forwarded your letter to our technical records specialist to update the change in your address.

If you have additional questions you can reach me at the number listed above.

Sincerely,

A handwritten signature in cursive script that reads "Kelly K Christensen".

Kelly K Christensen
Sr Water Resource Agent
E-mail address: kelly.christensen@idwr.idaho.gov

enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

February 29, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

RAY BARSHICK
KAREN BARSHICK
524 NEPTUNE AVE
ENCINITAS CA 92024

RE: SRBA Claim(s) 37-387D

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,



Trish Fawcett
Technical Records Specialist

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



WATER DISTRICT NO. 37 & 37M
107 WEST 1ST
SHOSHONE, IDAHO 83352
(208) 886-2451

May 12, 2008

Mr. Ray Barshick
524 Neptune Avenue
Encinitas, CA 92024

Mr. Barshick:

I am writing in response to your letter dated February 21, 2008.

Our delivery records do not show delivery of water right 37-387 until 1986. In 1986 it appears that delivery began, but our records do not differentiate whether the delivery was for your particular portion of the 37-387 water right. Starting in 1989, it appears all of 37-387 was delivered, but not at your Point of Diversion. Delivery records for your head gate start in 1994. I have enclosed delivery records to your head gate from 1994 as well as our latest delivery records from 2007 for your head gate. Delivery records appear to be constant during the period from 1994 to 2007. I hope this helps.

Respectfully,

Kevin Lakey
Watermaster, Water Districts 37 & 37M

WATER DISTRICT 37 & 37M

CANAL NAME		KNIGHT		CANAL NO. 18-B			2007
OWNER		RAY BARSHICK		2 FT CW			
DATE	APRIL	MAY	JUNE	JULY	AUG	SEPT	DATE
1	0.51	0.86	0.86	0.59	0.35	0.51	1
2	0.51	0.86	0.86	0.59	0.35	0.51	2
3	0.51	0.86	0.86	0.59	0.35	0.51	3
4	0.51	0.86	0.86	0.59	0.35	0.51	4
5	0.51	0.86	0.86	0.59	0.35	0.51	5
6	0.51	0.86	0.86	0.59	0.35	0.51	6
7	0.51	0.86	0.86	0.59	0.20	0.51	7
8	0.51	0.86	0.86	0.59	0.20	0.51	8
9	0.51	0.86	0.86	0.59	0.20	0.51	9
10	0.51	0.86	0.86	0.51	0.20	0.51	10
11	0.51	0.86	0.86	0.51	0.20	0.51	11
12	0.51	0.86	0.86	0.51	0.20	0.51	12
13	0.51	0.86	0.99	0.51	0.20	0.51	13
14	0.51	0.86	0.99	0.51	0.20	0.51	14
15	0.51	0.64	0.99	0.51	0.20	0.51	15
16	0.51	0.64	0.99	0.51	0.20	0.51	16
17	0.51	0.64	0.99	0.51	0.20	0.51	17
18	0.51	0.64	0.99	0.51	0.20	0.51	18
19	0.51	0.64	0.99	0.51	0.20	0.51	19
20	0.51	0.64	0.99	0.51	0.20	0.51	20
21	0.51	0.64	0.86	0.51	0.20	0.51	21
22	0.51	0.64	0.86	0.51	0.20	0.51	22
23	0.51	0.64	0.86	0.35	0.20	0.51	23
24	0.51	0.64	0.40	0.35	0.20	0.51	24
25	0.51	0.64	0.40	0.35	0.20	0.51	25
26	0.51	0.64	0.40	0.35	0.20	0.51	26
27	0.51	0.86	0.69	0.35	0.20	0.51	27
28	0.35	0.86	0.69	0.35	0.51	0.51	28
29	0.35	0.86	0.69	0.35	0.51	0.51	29
30	0.35	0.86	0.52	0.35	0.51	0.51	30
31	0.35	0.86	0.59	0.35	0.51		31
TOTAL	15.17	24.07	25.20	15.09	8.34	15.30	

YEARLY C F S	103
YEARLY ACRE FEET	204
TOTAL NO OF DAYS	185
YEARLY MEAN	0.56

CANAL NAME	KNIGHT	CANAL NUMBER	18-A	1994
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OWNER	EDWARD R DALE			

TOTAL	53.14	65.88	57.58	38.84	53.62	45.90
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YEARLY MEAN	1.72
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CANAL NAME KNIGHT CANAL NUMBER 18-B 1
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TOTAL	0.00	0.00	0.00	0.00	11.00	12.00
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YEARLY MEAN 0.43

Knight 18-B
Currently Barshick
diversion