



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

January 23, 2008

JOHN ANCHUSTEGUI
3054 E RIVERNEST DR
BOISE ID 83706-6914

Re: Snake River Basin Adjudication (SRBA)
Water Right Recommendations #2-51, 2-52 and 2-10015

Dear Mr. Anchustegui,

Following our telephone conversation on Wednesday, January 21, 2009, I have enclosed copies of the objections BLM sent you. I have stapled the maps and the BLM notes on the water rights on top of their objections because I feel the maps make it easier to understand their objections.

I have flagged items to which BLM is objecting.

2-51

Flag 1: The BLM is objecting to the 14 acres in T05S R04E S32 Lots 11 (4 ac) and 12 (10 ac) on water right 2-51, on which you claim irrigation use. Those 14 acres are owned by the BLM. I have delineated the 14 acres in question in silver pen. The truth may be your irrigation may not extend as far toward the road as shown by the yellow line.

Flag 2: The BLM is requesting you delete those 14 acres from your claim since that land belongs to them.

Flag 3: The BLM highlighted the 14 acres on our recommendation and added notes at the bottom of the page.

I have also attached a copy of our recommendation for your file.

2-10015

Flag 1: On this recommendation, the BLM wants you to delete your stockwatering use in the SWSW of T05S R04E for the same reasons stated above: that land is owned by the BLM.

John Anchustegui
January 23, 2009
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Flag 2: I have highlighted the BLM land on a map I feel is easier to understand. Please draw on the IDWR map where the stock pens are that are not on the BLM ground.

Flag 3: The BLM highlighted the POU to which they are objecting and added notes at the top of the page.

I have also attached a copy of our recommendation for your file.

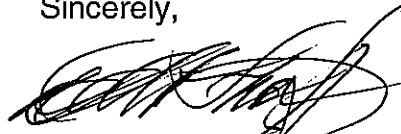
2-52 They are NOT objecting to this recommendation. I have attached a copy for your file and a copy of our map for it.

Finally, we have updated our records to your Rivernest address and have deleted your former Catalina Dr. address. The Court will be notified of the Rivernest address for all of your water rights when the objections are settled.

John, I was struck after our talk by your point you have 90 inches of water delivered from the canal. No one questions one of the water rights (2-52) is for 55 acres. I am wondering if the second water right covers an additional 37 acres and not 51 acres for a total of 92 acres and not a total for the farm of 106 irrigated acres. Quite simply, the totals may be 90 inches for about 90 acres. If you agree, we're on the path to settling these.

Feel free to contact me after February 2, 2009, at 287-4921 if you have questions or if I have not been clear. You may want to schedule a time to visit about the enclosed documents in my office after you have had time to review them.

Sincerely,

A handwritten signature in black ink, appearing to read 'Donald V. Shaff', written over a horizontal line.

Donald V. Shaff, MPA
Adjudication Bureau Chief

DVS:ss:state
Enclosures