



State of Idaho

DEPARTMENT OF WATER RESOURCES

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

November 5, 2019

Chad & Jane Barnes
22284 N Main
Downey, ID 83234

Kirk Jackson
PO Box 866
Pocatello, ID 83204

Craig Bloxham
20862 S Cambridge Road
Downey, ID 83234

RE: Applications for Transfer 80529 and 82606

Dear Parties:

In September, I called Chad to get an update on the status of the splitter box construction project. He mentioned that the concrete box had already been built. He said the pipelines would be connected and the project complete by the end of September. I assume that the project has been completed. I have intended to come down and see the new splitter box, but I've been busy with other cases.

If you recall, water rights 29-14031, 29-14032 and 29-14115 originally shared a common point of diversion in the SWSENW of Section 14, T11S, R37E. Application for Transfer 80529 (Jackson) proposed to create a second point of diversion. Application for Transfer 82606 (Barnes/Bloxham) proposed to move the original point of diversion to an upstream location.

Upon successful completion of the new splitter box, water rights 29-14031, 29-14032 and 29-14115 will still be diverted from a common point of diversion in the SWSENW of Section 14, T11S, R37E. Because the new box is located in the same 10-acre tract as the original point of diversion, no transfer application is needed to change the point of diversion. The Department simply needs to update its maps to identify the new box as the designated point of diversion for the three water rights.

One of the employees from our office will be in the Downey area next week. I have instructed him to collect GPS coordinates for the new box. We will use the information to update our water right maps.

In my opinion, we are now at a point where the pending applications can be withdrawn. When the applications are withdrawn, the associated protests become moot. I have enclosed a copy of the form used to withdraw a transfer application. Please complete the forms and send them back to me. For Transfer Application 82606, Chad, Jane and Craig will need to sign the form.

I appreciate your willingness to work together to get the new box built and your patience with the Department. This has been a long process with a few twists and turns. Application 80529 was filed four years ago. I think the splitter box was preferable to any of the other options discussed. If there were multiple points of diversion on the stream, I am afraid the watermaster would be constantly called on to settle disputes. Having a single, concrete box that automatically divides the water in proportion to the water rights should help you avoid some of the disputes over water use.

Feel free to contact me if you have any questions. I will send you a map showing the updated point of diversion once the GPS coordinates are collected.

Sincerely,

A handwritten signature in dark ink, appearing to read 'J. Cefalo', written in a cursive style.

James Cefalo

Encl: Withdrawal of Application Forms

Cc: Rob Harris
Holden Kidwell Hahn & Crapo
PO Box 50130
Idaho Falls, ID 83405-0130

WITHDRAWAL
OF
APPLICATION FOR TRANSFER OF WATER RIGHT(S)

I/We, Kirk Jackson and _____,
(Applicant's Printed Name) (Applicant's Printed Name)

_____ and _____,
(Applicant's Printed Name) (Applicant's Printed Name)

hereby withdraw our Application for Transfer No. 80529 of Water Right

No(s). 29-14032

Signed this _____ day of _____, 20____.

(Signature/Title of Applicant)

(Signature/Title of Applicant)

(Signature/Title of Applicant)

(Signature/Title of Applicant)

WITHDRAWAL
OF
APPLICATION FOR TRANSFER OF WATER RIGHT(S)

I/We, Chad Barnes and Jane Barnes,
(Applicant's Printed Name) (Applicant's Printed Name)

Craig Bloxham and _____,
(Applicant's Printed Name) (Applicant's Printed Name)

hereby withdraw our Application for Transfer No. 82606 of Water Right

No(s). 29-14115, 29-14031

Signed this _____ day of _____, 20 _____.

(Signature/Title of Applicant)

(Signature/Title of Applicant)

(Signature/Title of Applicant)

(Signature/Title of Applicant)