



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 11, 2017

THOMAS J BUDGE
PO BOX 1391
POCATELLO ID 83204-1391

Dear TJ,

As you may recall from our phone conversation in February, when you filed a transfer application on behalf of HK Contractors to change the place of use and point of diversion for water right no. 22-207B, we need additional information before we can approve the transfer.

Therefore, please provide us with the following items:

1. A corrected deed. The applicant seeks to change 0.40 cfs of water right no. 22-207B. However, the special warranty deed for water rights conveys only 0.04 cfs.
2. Proof of ownership of a portion of the proposed place of use. Our June 2016 Madison County taxlot data shows that a 2.6 acre portion of the proposed place of use belongs to Woodmansee-Johnson Canal Co (WJCC). Please provide us with documentation showing that Mr. Gardner is the current owner of the proposed place of use, or authorization from WJCC to use the right on their property.
3. Clarification of the proposed point of diversion. Judging from the map provided with the transfer, it looks like the proposed point of diversion is Bigler Slough Canal. There is another point of diversion just upstream within the same QQ called the Gardner-Beddes Pump. Could you also clarify which of these points is the intended point of diversion?
4. Consent of the new water right owner to the transfer. We need something from Gardner giving his assent to the transfer.

If we do not receive the requested information within 30 days, we will return your application unprocessed and right 22-207B will not be changed. If you have any questions regarding this matter, please feel free to contact me at (208)525-7161.

Respectfully,

A handwritten signature in black ink, appearing to read 'Michael Holliday', with a long horizontal line extending to the right.

Michael Holliday
Water Rights Supervisor

Cc: HK Contractors, c/o Jeff Trosper