



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

April 10, 2009

BASHAW FAMILY TRUST
C/O GERALD BASHAW
PO BOX 767
PICABO, ID 83348

RE: Resolution for Application for Transfer #68497 Involving Groundwater Rights: 37-2566A&B, 37-2594A&B, 37-2612A&B, 37-7239A&B, and 37-2615. Resolution of Application for Transfer #68498 Involving Surface Water Rights: 37-95G, 37-137D, 37-138D, 37-207D, 37-448E, 37-426E, 37-632G, 37-706E, 37-1082F

Dear Mr. Bashaw:

Idaho Department of Water Resources (Department) has been in receipt of two applications for transfer involving water rights appurtenant to land owned by the Bashaw Family Trust since September 1999. The two transfers proposed creating a permissible place of use for both surface and groundwater rights and changing the point(s) of diversion on the rights. I have enclosed the first couple pages and appurtenant attachments from each of the transfers that describe what changes were being sought for your reference.

First, I would like to thank you for your patience in this matter, as it has been ten years since the above mentioned transfers have been filed with the Department. The transfers were on hold pending recommendations in the Snake River Basin Adjudication (SRBA), which at this time have been made on each of the rights involved in the transfers.

Please see the enclosed map that illustrates the disposition of the rights as recommended in the SRBA. It appears that the changes proposed in your transfer applications have, for the most part, been accomplished in the SRBA.

From my review, I see the only request that did not get accomplished for your surface water rights is a change in point of diversion from the SWSW of Section 16, Township 1S, Range 20E to a location within the NESW of Section 17, Township 1S, Range 20E.

For both your surface and groundwater rights, I see that the permissible place of use as recommended in the SRBA excludes some acres that you requested in your transfer application. For clarification please compare the two maps I have enclosed.

If you still would like to pursue the changes proposed within one or both of these two transfer applications, I would be happy to draft some approval documents and send them to you for your review. If you are satisfied with the current disposition of your rights, please sign and return the two withdrawal forms to bring these two applications to a final resolution.

I appreciate your help in the matter and again want to thank you for your patience in this enduring process.

Please don't hesitate to call me if you have any questions at 208/287-4944.

Sincerely,

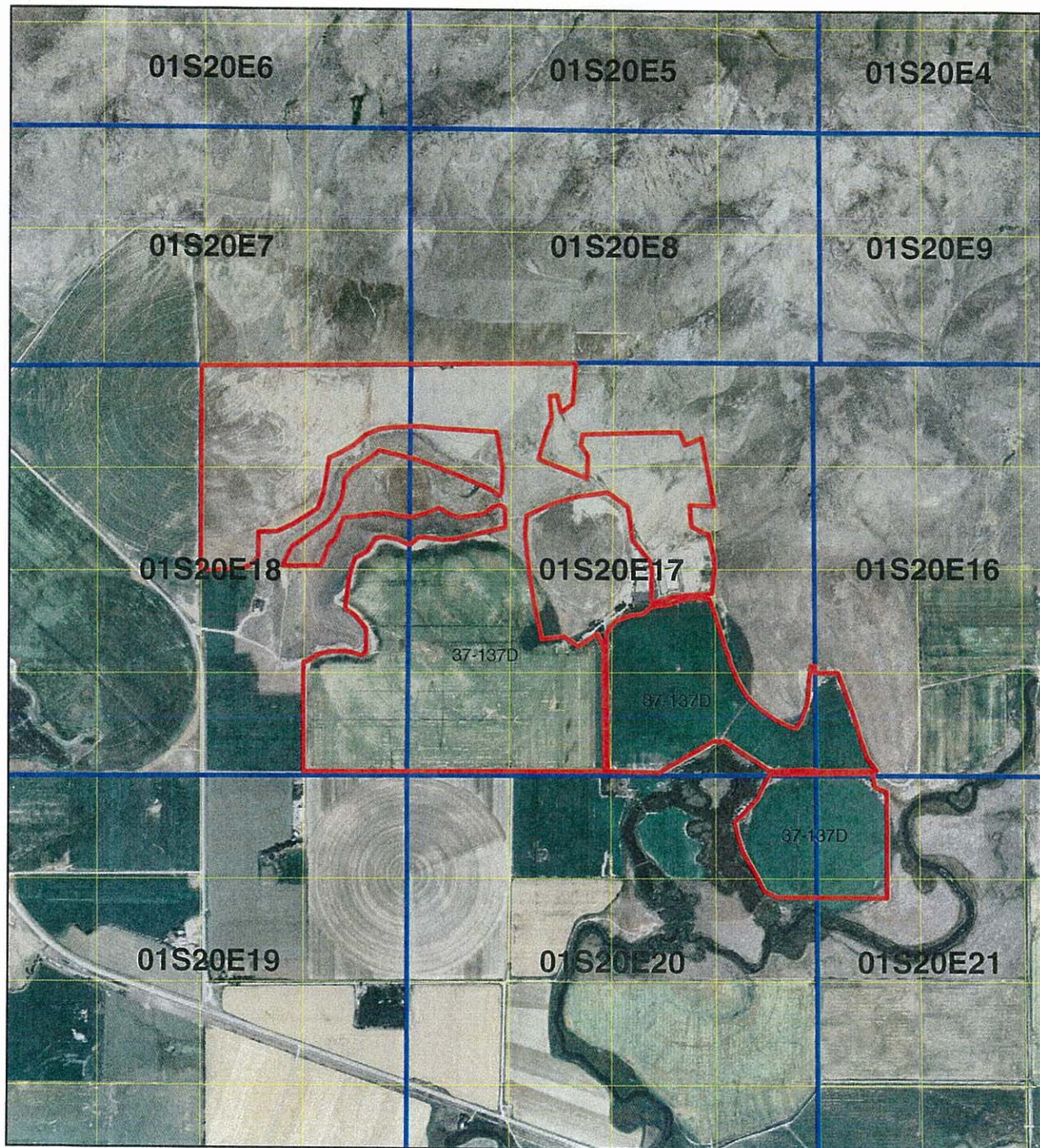


Cherie Padilla
Water Resource Agent
Water Allocation Bureau

Encl: 2 Withdrawal of Application for Transfer of Water Rights Forms
Copy of Pages 1 and 2 and Proposed POU Map for Transfers 68497 and 68498
3 SRBA Recommendation Maps-Point(s) of Diversion and Place of Use

Place of Use as Recommended in SRBA for Rights:

37-95G, 37-137C&D, 37-138C&D, 37-207C&D, 37-426L, 37-448D&E, 37-632G,
37-706E, 37-1082E&F, 37-2566A&B, 37-2594A&B, 37-2612A&B, 37-2615,
AND 37-7239A&B



Legend

- Recommended POU for Bashaw Rights
- Sections
- QQ



Point of Diversion as Recommended in SRBA for Rights:

37-95G, 37-137C&D, 37-138C&D, 37-207C&D, 37-426C, 37-448D&E, 37-632G,
37-706E, 37-1082E&F



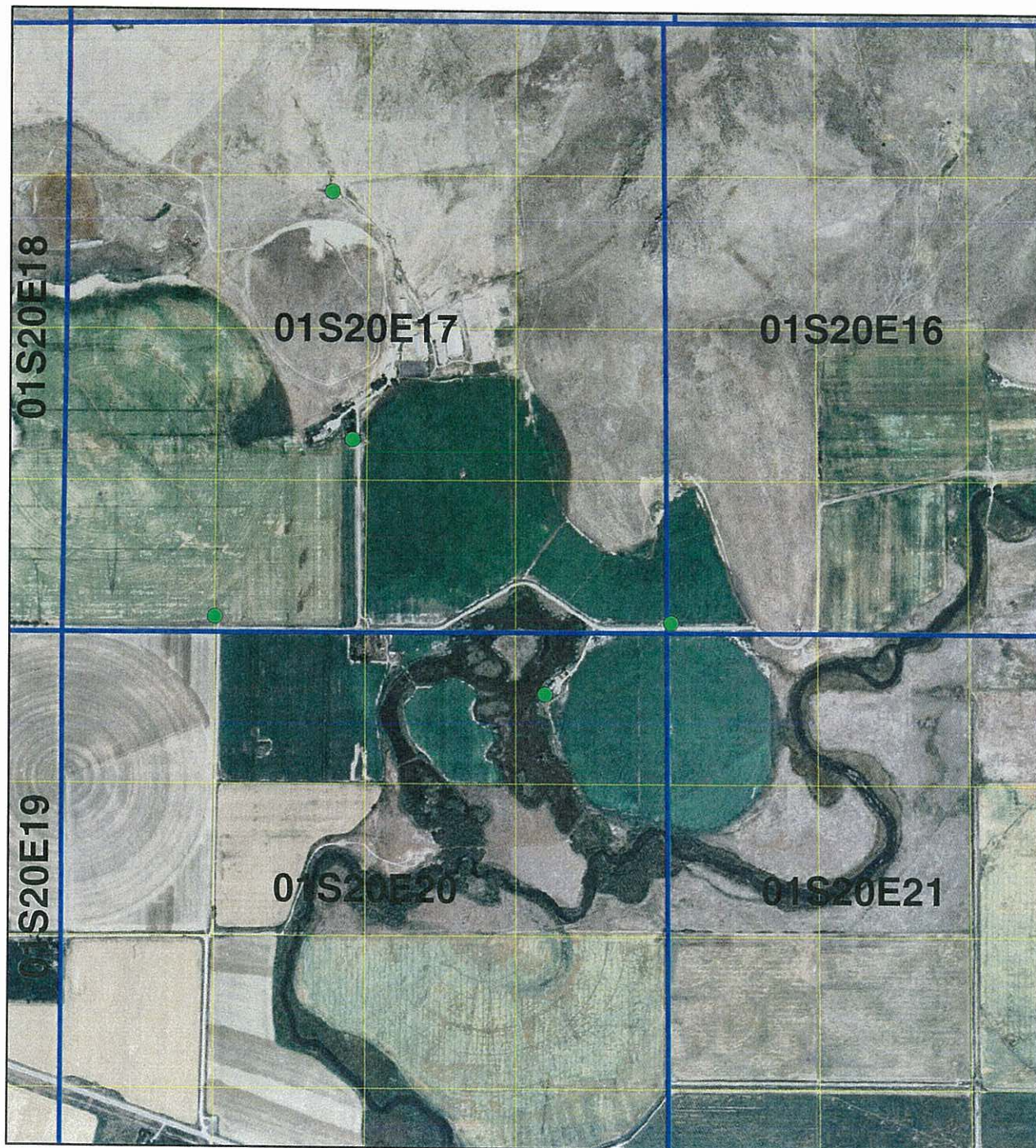
Legend

-  Recommended Point of Diversion
-  Sections
-  QQ

Map Created 4/10/2009 by Cherie Padilla

Point of Diversion as Recommended in SRBA for Rights:

37-2566A&B, 37-2594A&B, 37-2612A&B, 37-2615,
AND 37-7239A&B



Legend

- GW_PD_s_for_Bashaw
- Sections
- QQ



Map Created 4/10/2009 by Cherie Padilla