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Hydraulics

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Water Resources

RECEIVED

DEC 22 2009

**DEPARTMENT OF
WATER RESOURCES**

December 21, 2009

Cherie Padilla
IDWR State Office
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

Re: Amended Water Right Transfer Application #'s 68497 and 68498- Brett & Patricia Bashaw Family Trust c/o: Gerald Bashaw.

Dear Cherie,

This letter is intended to supersede on an email sent to Pam Skaggs (attached) that addressed concerns that you outlined to a letter sent to our office on October 30th 2009, requesting amendments to pending water right transfer application #'s 68497 and 68498. Per your request, we have amended these water right transfers. The attached first page (Part 1A) for each of the water right transfers should replace the existing Part 1A's for water right transfers #'s 68497 and 68498 currently on file.

With regards to 1st, 2nd, and 3rd paragraphs in the letter dealing with the ownership of 11.6 acres in the SWNW Sec.21 T.01S R.20E., we have undertaken and exhaustive parcel ownership inquiry and have found out that the applicant owns approximately 5 acres as you have suggested in the SWNW Sec.21 T.01S R.18E. Additionally, we verified that the applicant does not own land within the NWSW Sec.16 T01S R.20E, and it has been removed from the place of use on the amended applications. Changes to the proposed PPU are shown in the attached map and on page 1, Part 1A of both transfer applications.

With regards to the 4th paragraph in the letter, the attached map and amended Part 1A of both transfer applications correctly identify the portion of the proposed PPU in the E1/2SE1/4 of Section 18, T.1S R.20E. I apologize for the confusion.

With regards to the 5th paragraph, I have had two separate conversations with Mrs. Skaggs and with Jeff Cooper/Allen Merritt of the IDWR Southern Region Office dealing with the quarter quarters that exceed 40.0 acres. Both Mrs. Skaggs and the Southern Region Office assured me that if quarter-quarters within a correction section in the proposed place of use are greater

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than 40.0 acres (according to the IDWR PLS shapefiles), those quarter quarters with an area in excess of 40.0 acres can be entered into the IDWR database and will show up as so in the place of use description. I look forward to working through this process with you so that the proposed place of use can be described as accurately as possible.

Please copy our office on all correspondence dealing with these water right transfer applications and don't hesitate to contact our office with questions or comments. I hope you had a successful time-off period, thanks for your time and have a great day.

Regards,



Zach Latham, M.S., Hydrologist

Attachments: (2) Amended pg 1 Transfer of Water Rights Applications.
 (1) Map of Proposed PPU and Current POD's.
 (1) Email correspondence with Pam Skaggs
 (1) IDWR Letter dated 10/30/09

Cc: Mr. Gerald Bashaw
 Mrs. Pam Skaggs- IDWR State Office

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DEC 2 2009

Transfer No. _____

AMENDED #68498 APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant The Brett and Patricia Bashaw Family Trust c/o: Gerald B. Bashaw
 Name of applicant Bashaw Family Trust, c/o: Gerald B. Bashaw Phone (208) 788-6571
 Post Office address P.O. Box 767 Picabo, ID 83348

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Create PPU
2. Describe the reason for the proposed changes To make place of use agree with actual irrigation practice - SURFACE WATER

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number SEE ATTACHMENT "A" Priority _____ Amount (cfs/ac-ft) _____ Nature of Use _____ Period of Use _____ to _____ to _____ to _____ to _____
2. Total amount of water being transferred _____ cubic feet per second and/or _____ acre-feet per annum.
3. Source of water _____ tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NE	SE	NW	24	1S	19E	Blaine	Gillihan #11 headgate

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
01S	20E	16											18.9						18.9
01S	20E	17	1.0	35.3	39.6	6.7	40.2	40.1	40.1	40.3	40.1	40.0	38.7	38.8	10.6	39.7	35.4	29.5	516.1
01S	20E	18	41.0	41.0	40.8	40.9									40.7			38.9	243.3
01S	20E	20	26.9			3.7													30.6
01S	20E	21						27.4	4.8										32.2

**AMENDED #68497 APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

Name of applicant The Brett and Patricia Bashaw Family Trust c/o: Gerald B. Bashaw
 Name of applicant Bashaw Family Trust, c/o: Gerald B. Bashaw Phone (208) 788-6571
 Post Office address P.O. Box 767 Picabo, ID 83348

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Create PPU
2. Describe the reason for the proposed changes To make place of use agree with current and future irrigated area - GROUNDWATER

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1.	Right Number	Priority	Amount (cfs/ac-ft)	Nature Of Use	Period of Use	
	<u>37-2566A</u>	<u>2/26/1955</u>	<u>0.07/52.5</u>	<u>Irrigation</u>	<u>4/15</u>	<u>to 10/31</u>
	<u>37-2566B</u>	<u>2/26/1955</u>	<u>2.97/1963.5</u>	<u>Irrigation</u>	<u>4/15</u>	<u>to 10/31</u>
	<u>37-2594A</u>	<u>2/25/1957</u>	<u>0.07/52.5</u>	<u>Irrigation</u>	<u>4/15</u>	<u>to 10/31</u>
	<u>37-2594B</u>	<u>2/25/1957</u>	<u>2.41/1963.5</u>	<u>Irrigation</u>	<u>4/15</u>	<u>to 10/31</u>
	<u>37-2612A</u>	<u>4/1/1959</u>	<u>0.07/52.5</u>	<u>Irrigation</u>	<u>4/15</u>	<u>to 10/31</u>
	<u>37-2612B</u>	<u>4/1/1959</u>	<u>3.18/1963.5</u>	<u>Irrigation</u>	<u>4/15</u>	<u>to 10/31</u>
	<u>37-2615</u>	<u>5/28/1959</u>	<u>1.80/219.8</u>	<u>Irrigation</u>	<u>4/15</u>	<u>to 10/31</u>
	<u>37-7239A</u>	<u>6/5/1973</u>	<u>0.04/52.5</u>	<u>Irrigation</u>	<u>4/15</u>	<u>to 10/31</u>
	<u>37-7239B</u>	<u>6/5/1973</u>	<u>1.61/1963.5</u>	<u>Irrigation</u>	<u>4/15</u>	<u>to 10/31</u>
	<u>37-7239B</u>	<u>6/5/1973</u>	<u>0.07/4.1</u>	<u>Stockwater</u>	<u>01/01</u>	<u>to 12/31</u>
2.	Total amount of water being transferred		<u>12.22</u>	cubic feet per second and/or	<u>2235.8</u>	acre-feet per annum.
3.	Source of water		<u>Ground Water</u>	tributary to	<u>N/A</u>	
4.	Point(s) of Diversion:					

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	SW	SW	SW	16	1S	20E	Blaine	WELL
	NE	SE	NW	17	1S	20E	Blaine	WELL
	SE	NE	SW	17	1S	20E	Blaine	WELL
	SE	SW	SW	17	1S	20E	Blaine	WELL
	NW	NE	NE	20	1S	20E	Blaine	WELL

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
01S	20E	16											18.9						18.9
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01S	20E	20	26.9			3.7													30.6
01S	20E	21						27.4	4.8										32.2



1 inch equals 1,600 feet

BASHAW FAMILY TRUST
AMENDED TRANSFER APPLICATION # 68497, 68498
T.01S R.20E SEC. 16, 17, 18, 20, 21
2006 NAIP AERIAL PHOTOGRAPH

Bashaw_Family_Trust_recpod_3-16-09

- Legend
- GROUND WATER
 - LOVING CREEK
 - Proposed PPU = 841.1 acres
 - sections
 - 01s19e
 - 01s20e