



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082

Phone: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

August 18, 2009

Jerry Frederick
8968 S Black Cat Rd
Nampa, ID 83787

Re: Application for Transfer # 73802 (Water Right No. 63-8609B)
and Well Drilling Fee Upgrade

Dear Mr Frederick:

This letter is in follow up to our meeting of last week and our phone conversation today regarding this transfer and specifically, regarding the new point of diversion pursuant to the transfer. During our meeting last week, you had not yet decided if you were going to add a new well or use the existing domestic well as the point of diversion because you intend to put this water right in the water bank after the transfer is approved. Today, you stated that you intended to use the domestic well as the point of diversion under this irrigation right once transferred.

According to IDWR records your well was drilled in 2005 under a \$75 domestic well drilling permit. The drilling permit fee for a well used for irrigation is \$200; hence, IDWR must collect the unpaid balance of \$125 for a well that will be used for irrigation.

Please remit \$125 to upgrade your well drilling permit. In the meantime, I will continue to process your transfer application, however, it will not be approved until the fee is paid.

Please contact me at 208-334-2190 if you have any questions and thank you for your attention to this matter.

Sincerely,

Vicky Music
Sr Water Resource Agent

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 63-08609B

NAME AND ADDRESS: JERRY FREDERICK
4401 BALIVI LN
NAMPA, ID 83687

SOURCE: GROUND WATER

QUANTITY: 0.34 CFS
175.34 AFY

PRIORITY DATE: 10/23/1977

POINT OF DIVERSION: T02N R01W S10 NENW Within Ada County
NENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.34 CFS 175.34 AFY

The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

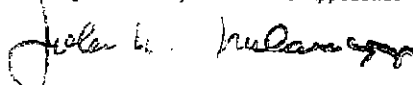
PLACE OF USE:	Irrigation	Within Ada County
	T02N R01W S10	NWNW 5.0 SENW 13.0 SWNW 36.0
	58.0 Acres Total	

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

CONVERSATION MEMORANDUM

Date 8/8/06

File _____

NAME OF PARTY Terry Frederite
EMPLOYEE R

RE: APPLICATION AMENDMENT?

- Called to discuss both apps

- might amend transfer Appl 83.8809B:
to add pld vs. change since might
want flexibility to use existing pld
for some areas east of canal in
original plan

- CONTACT Applicant w/ ERO Reviewer before
start processing to confirm if want to
just change pld or prefer to add pld

↑
NOTE!

Frederite 2 Xhrs

do more than

e ERO



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FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 21, 2005

JERRY FREDERICK C/O
DAVID SHAW ERO RESOURCES CORP
1106 N COLE RD SUITE C
BOISE ID 83704-8661

Re: Application for Transfer of Water Right(s)

Dear Applicant:

Your application for transfer to change a water right(s) was recently received. Processing of the application must be delayed as explained below.

Your application describes a water right for which a Snake River Basin Adjudication (SRBA) Claim has been filed. SRBA Claims in the area affected by the transfer application are currently being reviewed. The role of the Idaho Department of Water Resources (IDWR) in the SRBA is to review claims and make recommendations regarding those claims to the SRBA Court. Recommendations are presented to the court in a Director's Report. Potentially affected parties may object to recommendations in a Director's Report. This process introduces uncertainty regarding water rights until the objection period is over.

IDWR's limited staff resources must be used to complete the remaining Director's Reports during the next year. Additionally, experience indicates that processing an application for transfer in an area where a Director's Report is being prepared can result in confusion and complications by mixing judicial (SRBA) and administrative (transfer) actions.

The SRBA objection period for your area is expected to conclude sometime during the latter half of next year. Based on that schedule and the above reasoning, your application for transfer cannot be processed at this time. IDWR will hold your transfer application until that time and will notify you at the appropriate time to allow your application to be processed.

IDWR regrets the inconvenience undoubtedly caused by this necessary delay. Please contact me at 208-334-2190 if you have any questions in this regard.

Sincerely,

Steve Lester
Water Rights Supervisor



ERO Resources Corp.
1106 N. Cole Rd. Suite C
Boise, ID 83704-8661
(208) 373-7983
Fax: 373-7985
Denver • Boise
www.eroresources.com
eroboise@eroresources.com

RECEIVED

MAY 24 2005

WATER RESOURCES
WESTERN REGION

May 20, 2005

Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

RE: Applications for Transfer; Water Right Nos. 63-2757 & 63-8609B

Dear IDWR:

Enclosed you will find two Applications for Transfer for the above referenced water rights in the name of Jerry Frederick. Also enclosed are two separate checks in the amount of \$250 for each application.

Please date stamp the enclosed copy of this letter and return it along with the receipt for filing in the envelope provided. *sk*

Yours truly,

A handwritten signature in cursive script that reads "David".

David B. Shaw

DBS:sw

Encl.