

June 30, 2005

Department Of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

RECEIVED

JUL 07 2005

WATER RESOURCES
WESTERN REGION

ATTN: John Westra, Manager, Western Region

RE: Application for Permit #65-22942-Basso

Dear Mr. Westra:

Six individuals signed a single protest against the Application for Permit #65-22942-Basso. According to your letter of May 25, 2005, same subject, two individuals need to be delegated as spokesman/contacts for participation in the case proceedings. I was selected as one of the individuals to represent this protest.

Our group discussed the application and strongly protest granting this application due to the availability of water from Warm Springs Creek. We irrigate from an irrigation ditch which gets its water from the lower end of Warm Springs Creek. On low water years, particularly from July on, there can be little or no water available. The Sub-Divisions of Terrace Lakes and Castle Mountain use considerable water through the year. This means we on the lower end must share what water is available by irrigating on separate days. One owner stated he has only received adequate water one year out of the past seven. This Spring has been on the wet side when pastures normally look like lakes with water on the surface after heavy rains. However, due to the drought the last few years this hasn't happened as the soil is so dry it absorbs the water. Therefore, we fear a water shortage again this year and years to come.

Your letter included an attachment listing current Water Rights on Warm Springs Creek with a total use of 5.84 CFS. In the application of Anthony Yeamans, #65-22766, dated February 6, 2003, which our group also protested, an attachment listed Water Rights on Warm Springs Creek with a total flow of 6.6 CFS. Whichever Attachment is correct, we feel this usage has reached the point where any more users will only increase the probability of little or no water available for us users on the lower end on low water years.

Our group fully understands the right of individuals to apply for Water Rights. However, with the rapid growth of new homeowners in this area, and with only so much water available, at some point in time the Department Of Water Resources must protect current Water Rights and deny or curtail new applicants. Due to little or no water available the past few years, we feel that point in time is here.

Your thoughtful consideration of our protest is appreciated.

Sincerely,

Roger Belau

WARM Springs Creek

Basin	Seq	Sub	Priority	Date	Twp	Range	Sec	QQQ	Rate(cfs)	Volume(ac)	Acres	Water Use(s)	Owner(s)	Combined Limits	IDA
65	3002	A	1866/06/01	10N	04E	34	NWSW		0.33			56	IRRIGATION HEDRICK & BODINE FARMS (Cu		
65	3002	B	1866/06/01	10N	04E	34	NWSW		0.5			36	IRRIGATION SANDERS, HELEN E (Current)		
65	3002	X	1866/06/01	10N	04E	34	NWSW		0.17			20	IRRIGATION TERRACE LAKES RECREATION		
65	3231	A	1865/06/01	10N	04E	34	SESW		0.03			2	IRRIGATION SMITH, ROBERT L (Current)		
65	3231	B	1865/06/01	10N	04E	34	SESW		0.14			6	IRRIGATION BUNN, D ANN (Current); BUNN, C		
65	3231	X	1865/06/01	10N	04E	34	SESW		0.13			6	IRRIGATION DICKSON, BRADFORD JASON (I		
65	3232		1873/04/01	10N	04E	34	NWSW		0.7			40	IRRIGATION DEAN BUZ	4959	
65	3233		1873/05/01	10N	04E	33	NWSE		0.24			48	IRRIGATION TERRACE	4745	
65	3235		1873/08/01	10N	04E	34	NWSW		0.5			40	IRRIGATION DEAN BUZ	4959	
65	3236	A	1873/06/01	10N	04E	34	NWSW		0.2			10	IRRIGATION PITMAN, DOROTHY M (Current);		
65	3236	X	1873/06/01	10N	04E	34	SESW		0.1			5	IRRIGATION BUZZELL, DEAN (Current); BUZZ		
65	3236	X	1873/06/01	10N	04E	34	SWSE		0.1			5	IRRIGATION BUZZELL, DEAN (Current); BUZZ		
65	3237	A	1873/07/01	10N	04E	34	NWSW		0.33			56	IRRIGATION HEDRICK & BODINE FARMS (Cu		
65	3237	B	1873/07/01	10N	04E	34	NWSW		0.5			36	IRRIGATION SANDERS, HELEN E (Current)		
65	3237	X	1873/07/01	10N	04E	34	NWSW		0.17			20	IRRIGATION TERRACE LAKES RECREATION		
65	3238		1883/06/01	10N	04E	32	NWSE		0.38	39.7		7	DOMESTIC, I CASTLE MOUNTAIN CREEKS A		
65	3239		1867/06/01	10N	04E	33	NWSE		1			48	IRRIGATION TERRACE	4745	
65	7562		9-Jul-1975	10N	04E	33	NWNWSA		0.04	1.2		DOMESTIC	UPDIKE, ERNEST (Current)		
65	7592		3-Dec-1975	10N	04E	33	NWSW		0.02	1.2		DOMESTIC	WITHROW, ARNOLD F (Current)		
65	10971		1-Jul-1967	10N	04E	33	NWSE		0.02			1	IRRIGATION GUERNSEY, ROGER L (Current)		
65	12972		9-Feb-1989	10N	04E	34	NWSW		0.12	14		4	IRRIGATION BASS, JEFFREY E (Current); BA		
65	22687		26-May-2002	10N	04E	33	SWNW		0.02			0.7	IRRIGATION KNIGGE, RICHARD (Current); KN		
65	22689		12-Jun-2002	10N	04E	34	NWSW		0.06			2	IRRIGATION BELAU, JOANNE M (Current); BE		
65	22766		6-Feb-2003	10N	04E	33	NWSE		0.04			DOMESTIC	YEAMANS, ANTHONY F (Current)		

5.84 cfs

ATTACHMENT A

ROW	WATER RIGHT	STATUS	DATE	AMOUNT	WATER RIGHT	WATER RIGHT	WATER RIGHT
65	3231 B	Decreed	1866-06-01	0.14	WARM SPRINGS CREEK	IRRIGATION	BUNN, D ANN (Current); BUNN, GARY L (Current)
65	3231 X	Decreed	1866-06-01	0.13	WARM SPRINGS CREEK	IRRIGATION	DEAN BUZZLE TRUST (Current)
65	3231 A	Decreed	1866-06-01	0.09	WARM SPRINGS CREEK	IRRIGATION	SMITH, ROBERT L (Current)
65	3002 C	Decreed	1866-06-01	0.11	WARM SPRINGS CREEK	IRRIGATION	BODINE, LOREN H (Current)
65	3002 D	Decreed	1866-06-01	0.22	WARM SPRINGS CREEK	IRRIGATION	RICHARD DAVIS TRUST (Current); THELMA DAVIS TRUST (Current)
65	3002 E	Decreed	1866-06-01	0.14	WARM SPRINGS CREEK	IRRIGATION	BUTLER, MICHAEL (Current); BUTLER, REBECCA E (Current)
65	3002 F	Decreed	1866-06-01	0.09	WARM SPRINGS CREEK	IRRIGATION	TERRACE LAKES RECREATION RANCH INC (Current)
65	3002 G	Decreed	1866-06-01	0.09	WARM SPRINGS CREEK	IRRIGATION	NETTLETON, DAVID L (Current); NETTLETON, JANIS K (Current)
65	3232	Decreed	1873-04-01	0.7	WARM SPRINGS CREEK	IRRIGATION	DEAN BUZZLE TRUST (Current)
65	3233	Decreed	1873-05-01	0.24	WARM SPRINGS CREEK	IRRIGATION	TERRACE LAKES RECREATION RANCH INC (Current)
65	3236 A	Decreed	1873-06-01	0.3	WARM SPRINGS CREEK	IRRIGATION	WEST ONE BANK (Current)
65	3236 X	Decreed	1873-06-01	0.1	WARM SPRINGS CREEK	IRRIGATION	DEAN BUZZLE TRUST (Current)
65	3237 C	Decreed	1873-07-01	0.11	WARM SPRINGS CREEK	IRRIGATION	BODINE, LOREN H (Current)
65	3237 D	Decreed	1873-07-01	0.23	WARM SPRINGS CREEK	IRRIGATION	RICHARD DAVIS TRUST (Current); THELMA DAVIS TRUST (Current)
65	3237 E	Decreed	1873-07-01	0.14	WARM SPRINGS CREEK	IRRIGATION	BUTLER, MICHAEL (Current); BUTLER, REBECCA E (Current)
65	3237 F	Decreed	1873-07-01	0.09	WARM SPRINGS CREEK	IRRIGATION	TERRACE LAKES RECREATION RANCH INC (Current)
65	3237 G	Decreed	1873-07-01	0.09	WARM SPRINGS CREEK	IRRIGATION	NETTLETON, DAVID L (Current); NETTLETON, JANIS K (Current)
65	3238	Decreed	1873-08-01	0.8	WARM SPRINGS CREEK	IRRIGATION	DEAN BUZZLE TRUST (Current)
65	3238	Decreed	1883-08-01	0.38	UNNAMED STREAM, WARM SPRINGS CREEK	DOMESTIC, IRRIGATION	CASTLE MOUNTAIN CREEKS ASSN INC (Current Owner)
65	3239	Decreed	1887-08-01	1	WARM SPRINGS CREEK	IRRIGATION	TERRACE LAKES RECREATION RANCH INC (Current)
65	10971	Decreed	7/1/1987	0.02	WARM SPRINGS CREEK	IRRIGATION	GUERNSEY, ROGER L (Current)
65	7582	Decreed	7/9/1978	0.04	WARM SPRINGS CREEK	DOMESTIC	SCHULZ, USTO E (Current)
65	7582	Decreed	12/3/1978	0.02	SOUTH FORK	DOMESTIC	WITHROW, ARNOLD F (Current); WITHROW, J B (Current)
65	12972	License	2/2/1989	0.12	WARM SPRINGS CREEK	IRRIGATION	BASS, JEFFREY E (Current); BASS, LINDA J (Current)
65	13626	Permit	6/30/1994	1.55	WARM SPRINGS CREEK	DOMESTIC, IRRIGATION	CASTLE MOUNTAIN CREEKS ASSN INC (Current Owner)
65	22667	Permit	5/28/2002	0.02	WARM SPRINGS CREEK	IRRIGATION	KNIGGE, RICHARD (Current); KNIGGE, VICKI (Current)
65	22669	Permit	6/12/2002	0.02	WARM SPRINGS CREEK	IRRIGATION	BELAU, JOANNE M (Current); BELAU, ROGER E (Current)
			TOTAL OF:	6.55			
65	22766	Application	2/2/2003	0.04	WARM SPRINGS CREEK	DOMESTIC	YEAMANS, ANTHONY F (Current)

6.6 CFS