



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 18, 2005

JOHN C &/OR JEANINE S CUSHMAN
691 HOLLADAY RD
PASADENA CA 91106-4112

RE: Water Right Permit No. 22-02139

Dear Permit Holder:

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. Pursuant to review of the Department's records, it has come to our attention that you are now the current owners of the claim filed on this permit in the Snake River Basin Adjudication (SRBA). If you are the current owners, please review the enclosed application for amendment of permit and, if you agree with the findings, please sign and submit the form. The license will be issued in the name of Fred Bowen, as the current permit holder of record, however, the SRBA staff will be able to update the name when they submit their recommendation to the court in Twin Falls.

The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

- ☒ Points of Diversion
- ☒ Place of Use

Please be advised that Fred Bowen applied to amend this permit in February of 1981 and the Department has never taken any action on that application for amendment. We would like to clear that amendment from our records with issuance of the license as shown on the enclosed amendment. If you will write a short note withdrawing that

amendment application we will be able to use the \$20.00 that was submitted with it as part of the fee for this revised amendment form. Please include your withdrawal of that amendment with submittal of the revised amendment and the \$30.00 required to amend the permit.

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee (only \$30.00 required if you will withdraw the amendment submitted in February of 1981 as described above) within 14 days.

If you have any questions, please call me at 208-287-4953.

Sincerely,

A handwritten signature in black ink that reads "Kay Walker". The signature is fluid and cursive, with a large loop at the end of the last name.

KAY WALKER
Sr. Water Resource Agent

Enclosure