

PROPOSED POU AFTER TRANSFER - 434 AC

Baskin's Pond,
Pump & Mill.

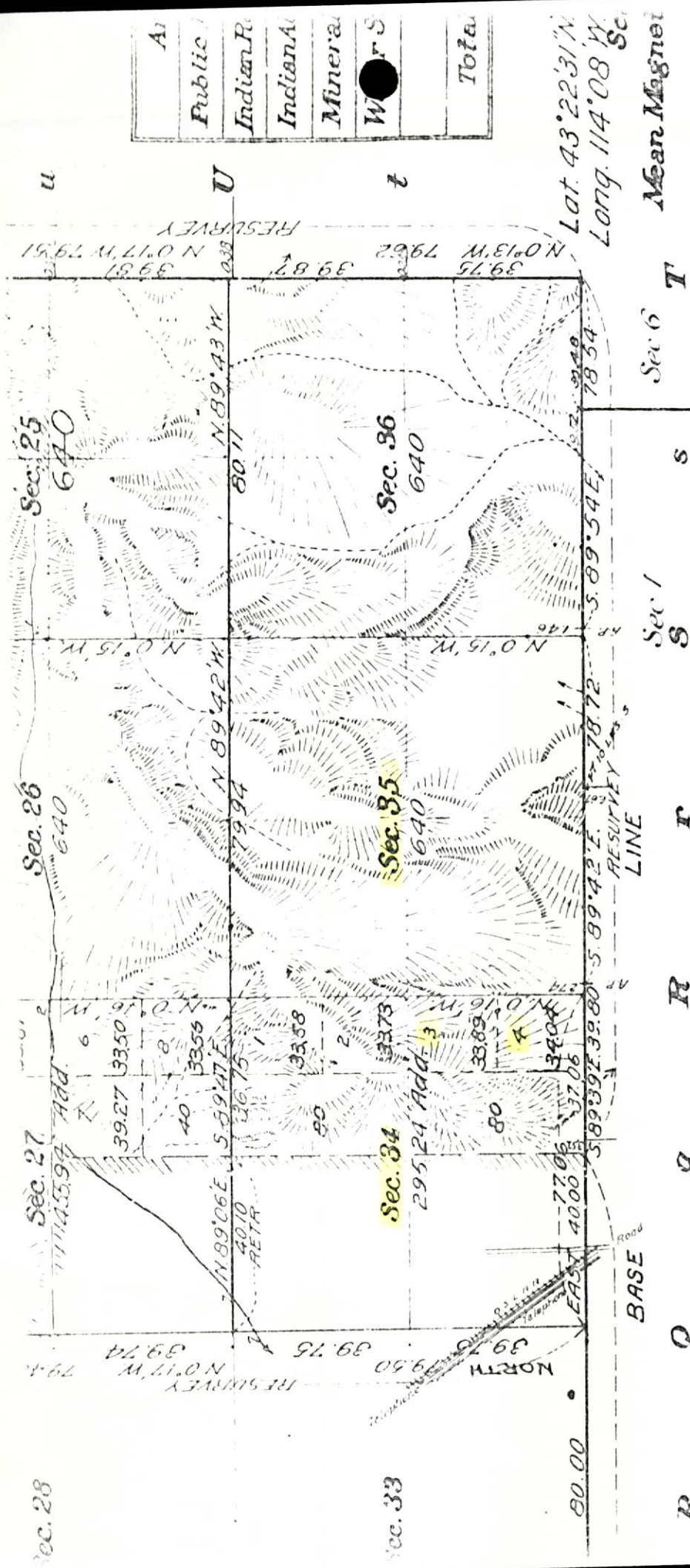
10 Bestam's pot
pumps to his
grubblers.

Gardner's Overflow
pipe flows into
Creek

Cardwell's 2" pipe from
pore to his
property

Thompson

T#
4678
Silver Creek



The above map of Township No. 1 North, Range No. 19 East Meridian, Idaho, is strictly conformable to the field notes in this office, which have been examined and approved.

U.S. Surveyor General's Office,
Boise, Idaho, December 15, 1913.

James

T O I N R 19 E

Public	Indian R.	Indian A.	Mineral	W. R. S.	Total

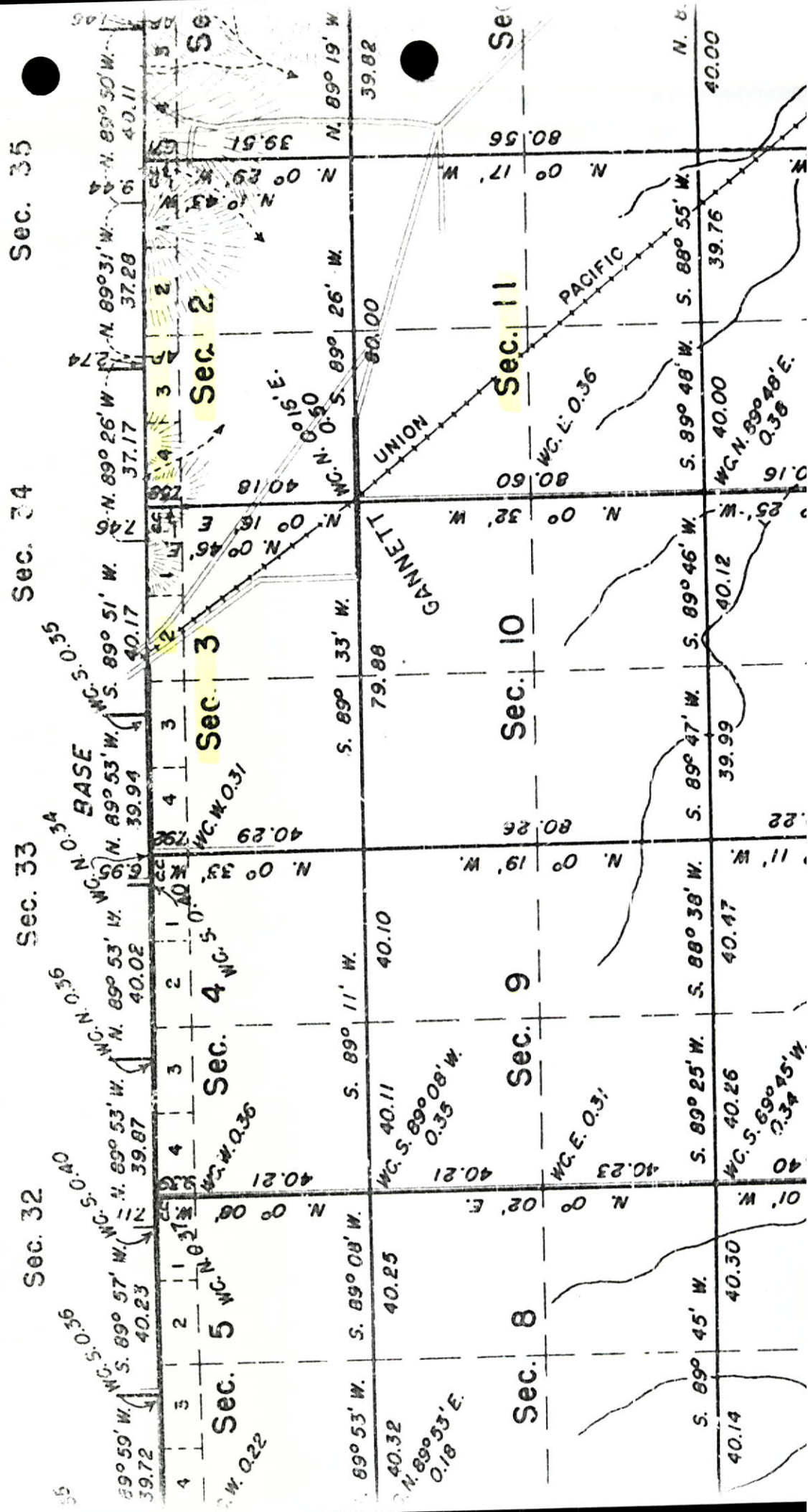
Lat. 43° 22' 31" N
Long. 114° 08' W
Mean Magnetic

NSHIP NO 1 SOUTH, RANGE NO.19 EAST, OF THE BOISE MER

DEPENDENT RESURVEY

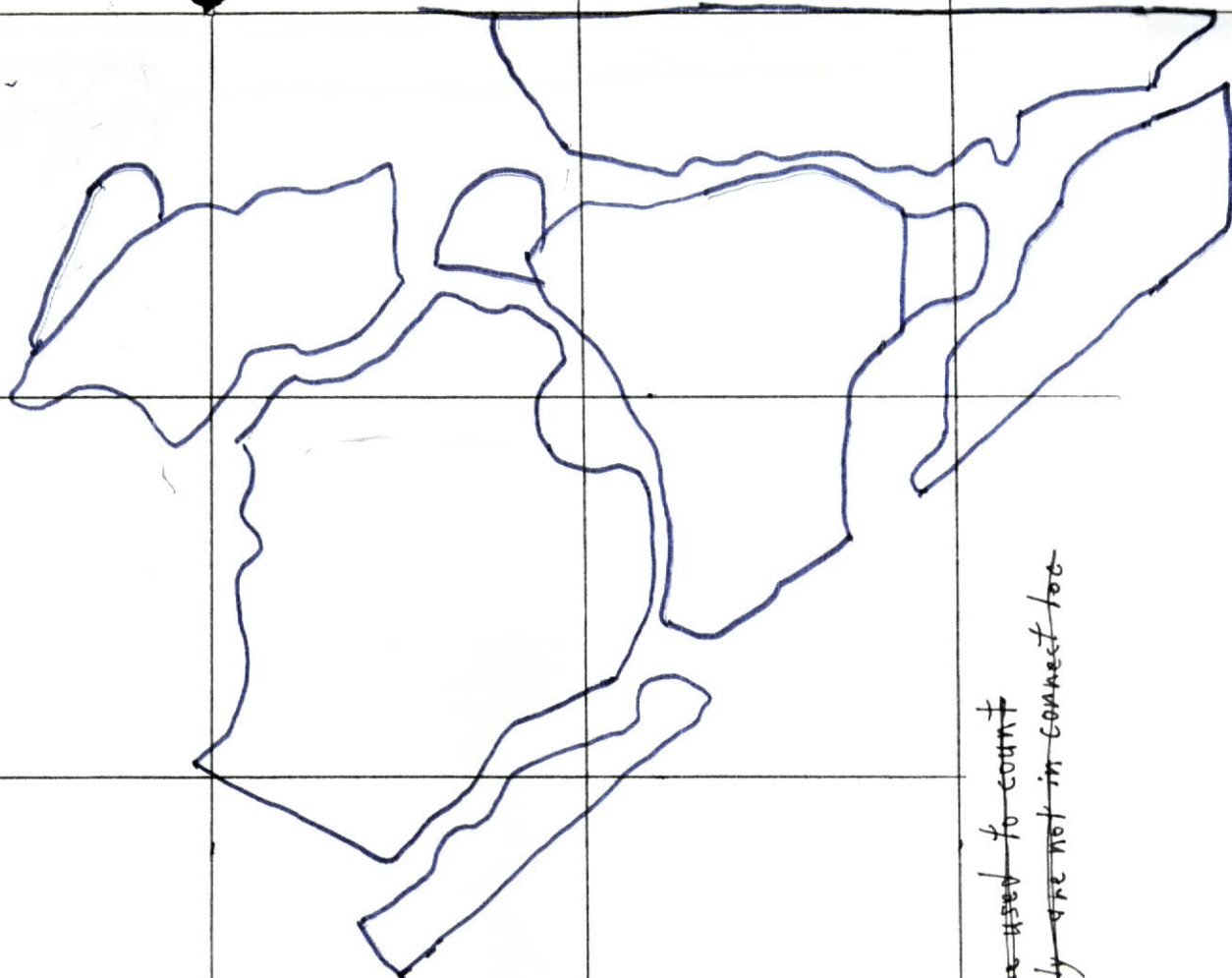
TOIS R19E

1940



3/2
11

3/2
11



MICROFILMED
FEB 05 1999

1994

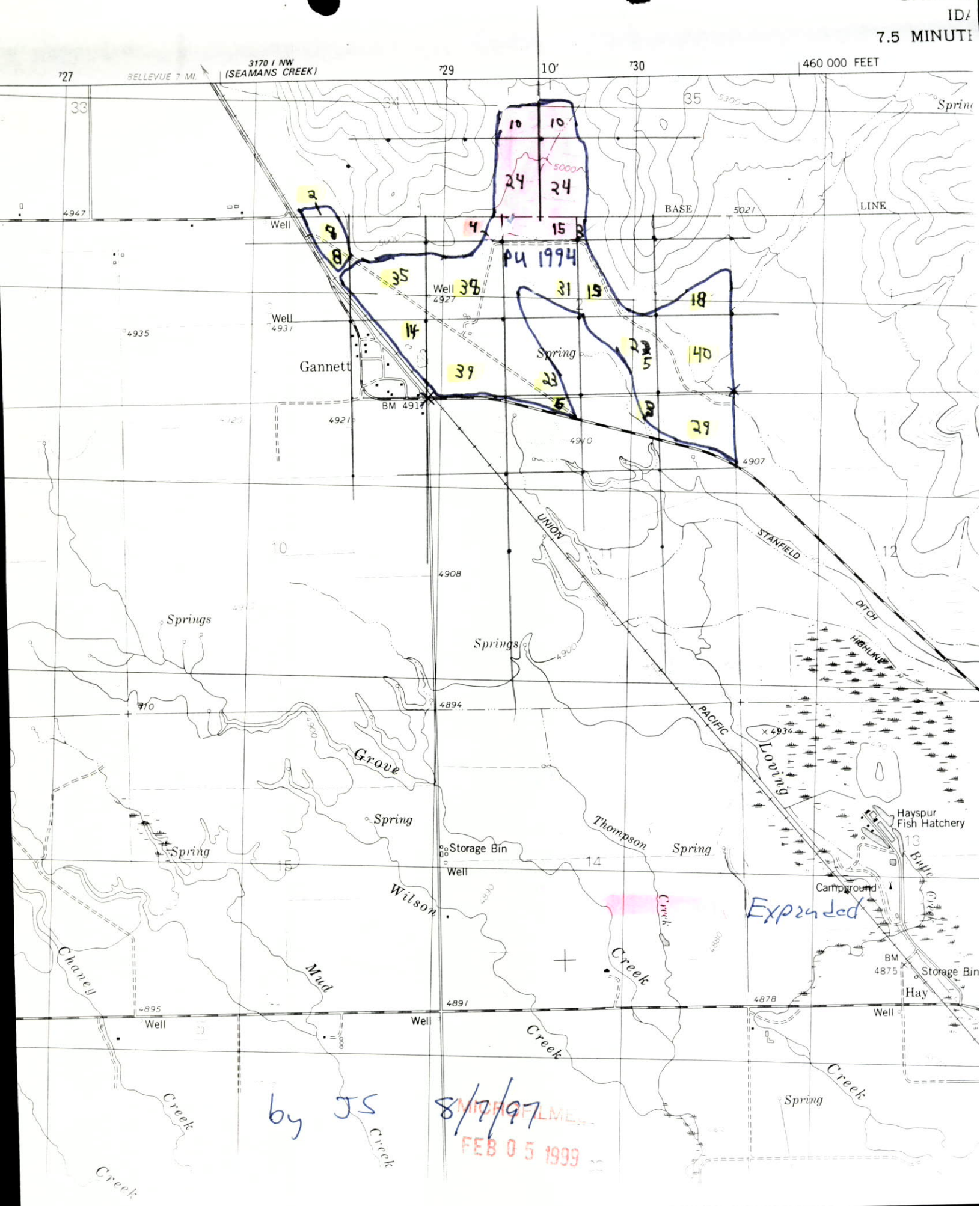
~~40 lines are used to count~~
~~lines only are not in connect too~~

JE Stanton
5-28-97

GANNE

ID/

7.5 MINUTE

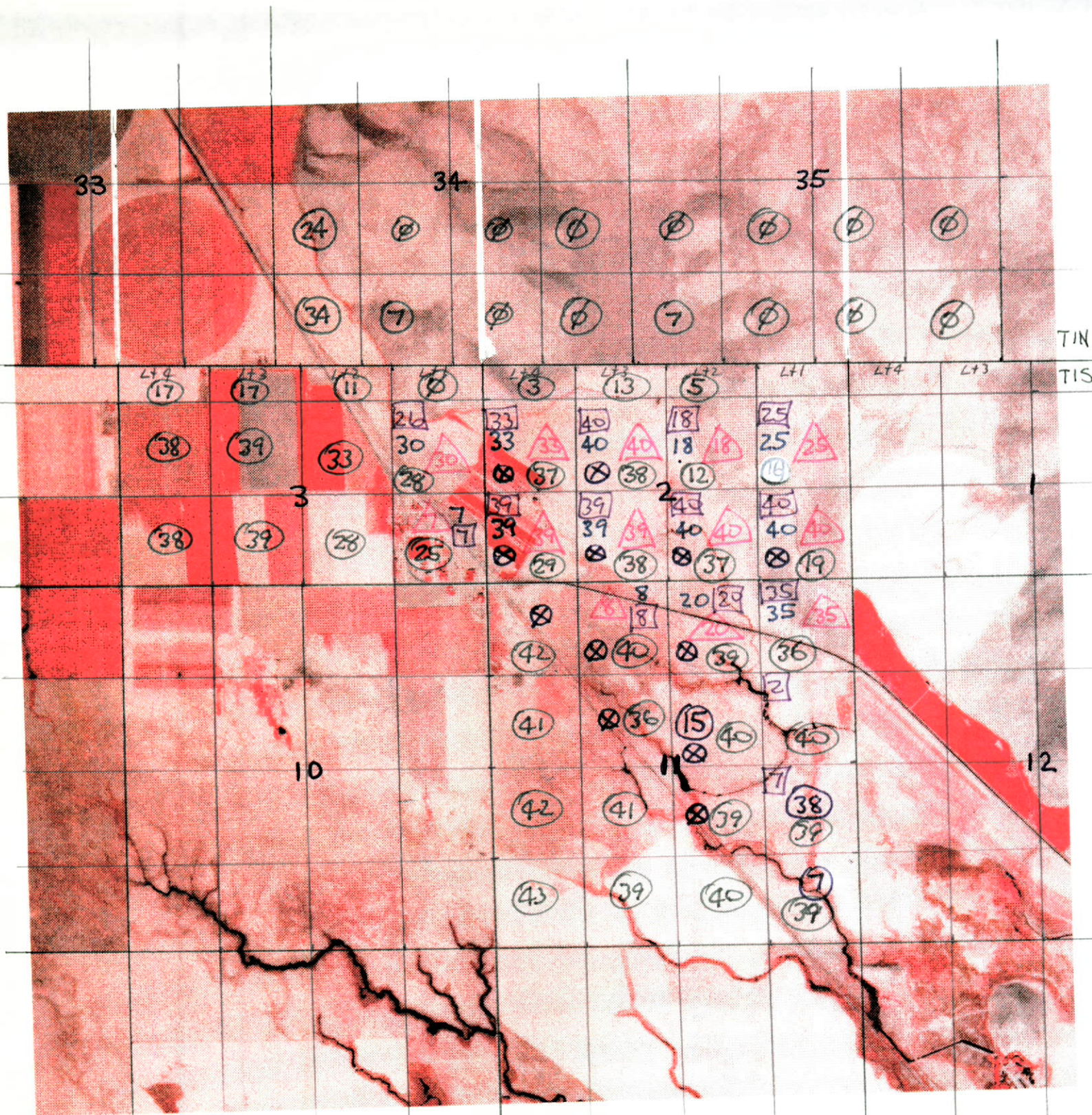


by JS

8/7/97
MICHAEL ME
FEB 05 1993

Expanded

BEFORE



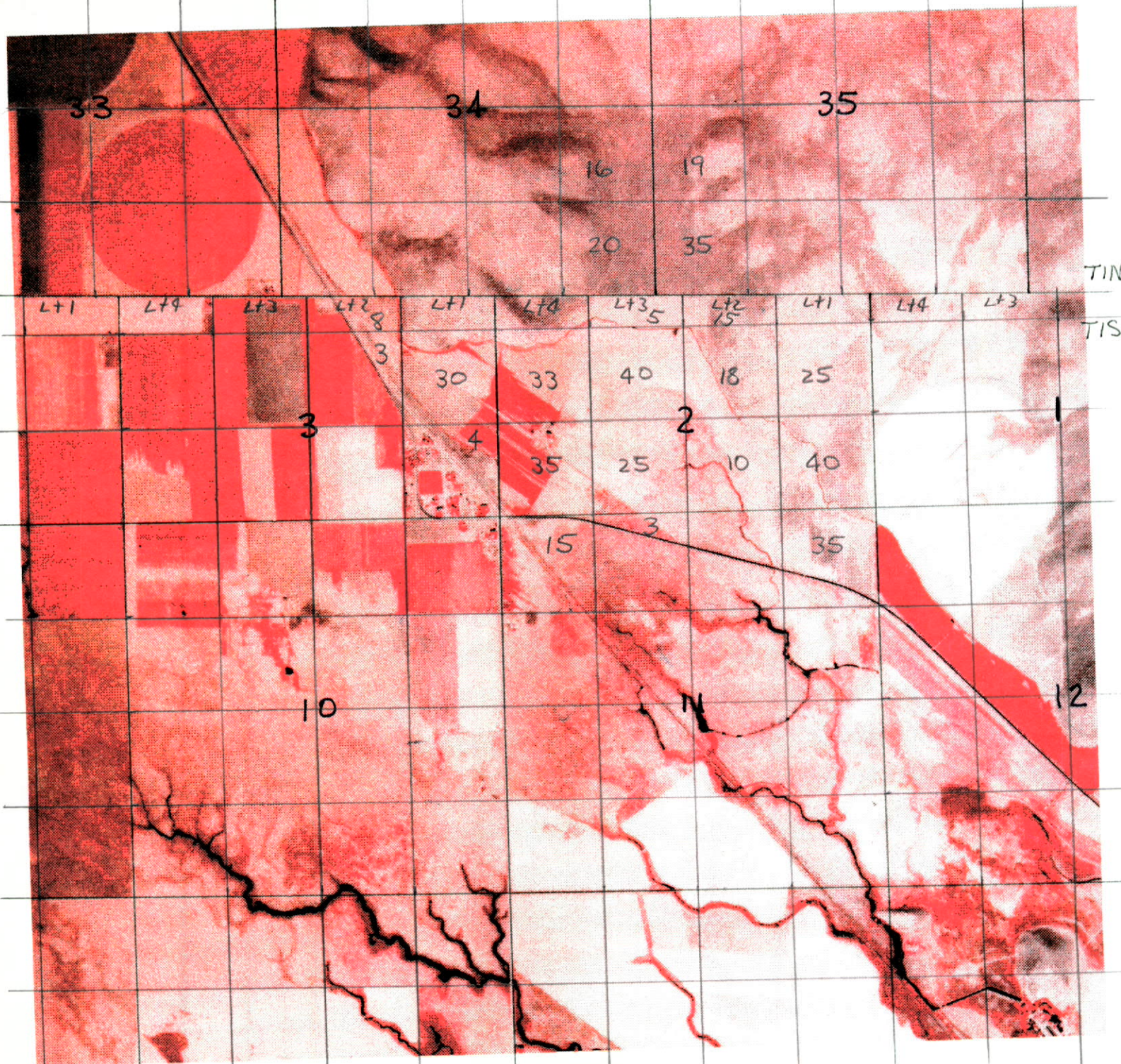
A37-04142 Wastewater 4.72 4/30/1931
 ○ A37-00125 Loving CK. 0.20 4/1/1884
 ⊗ 37-00125 25 Decreed 2/24/1883
 (37-00577 BWR 0.69
 A37-11556

A37-04141 Groundwater
 ○ Landset

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1988 photo

AFTER



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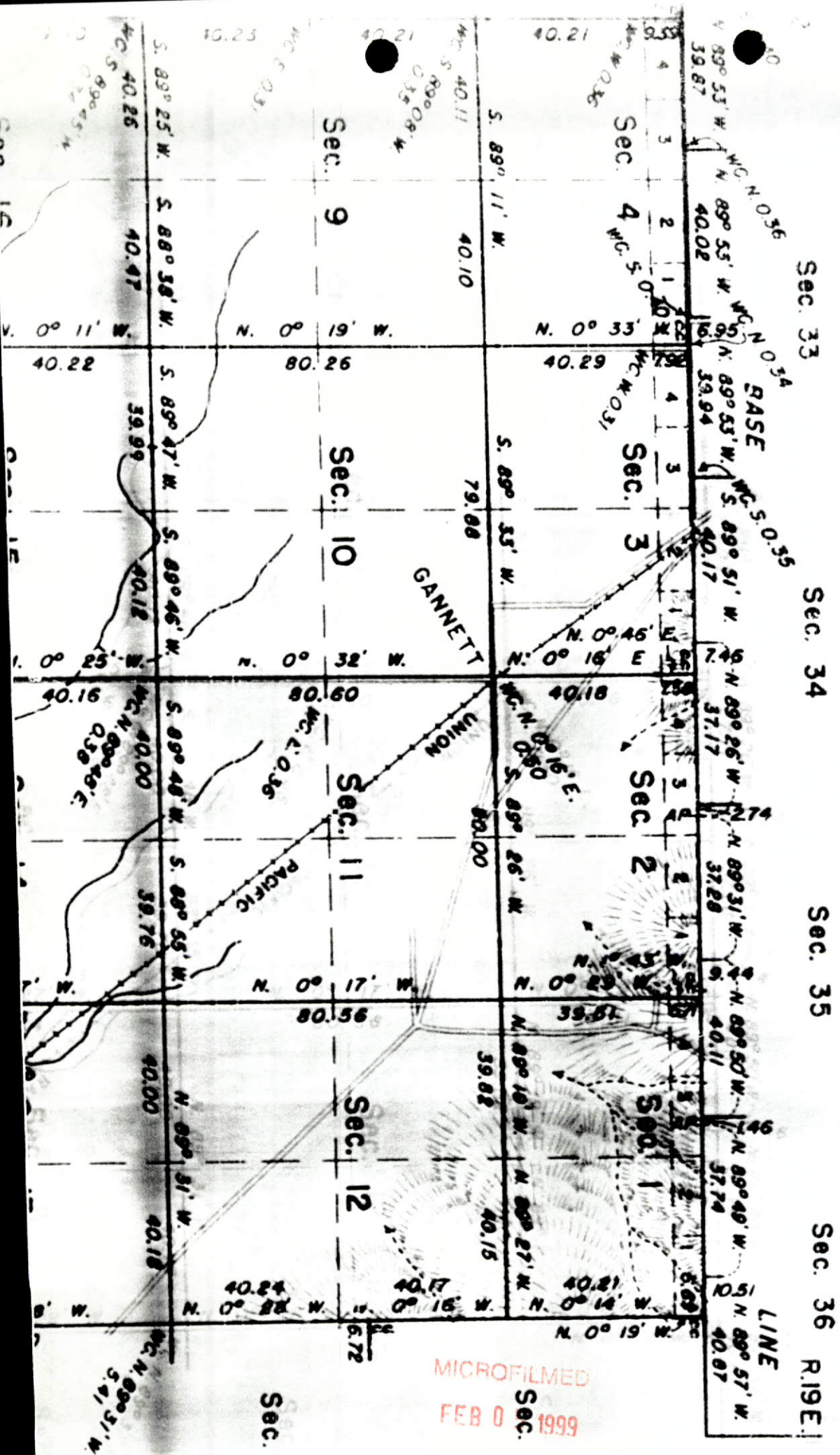
After

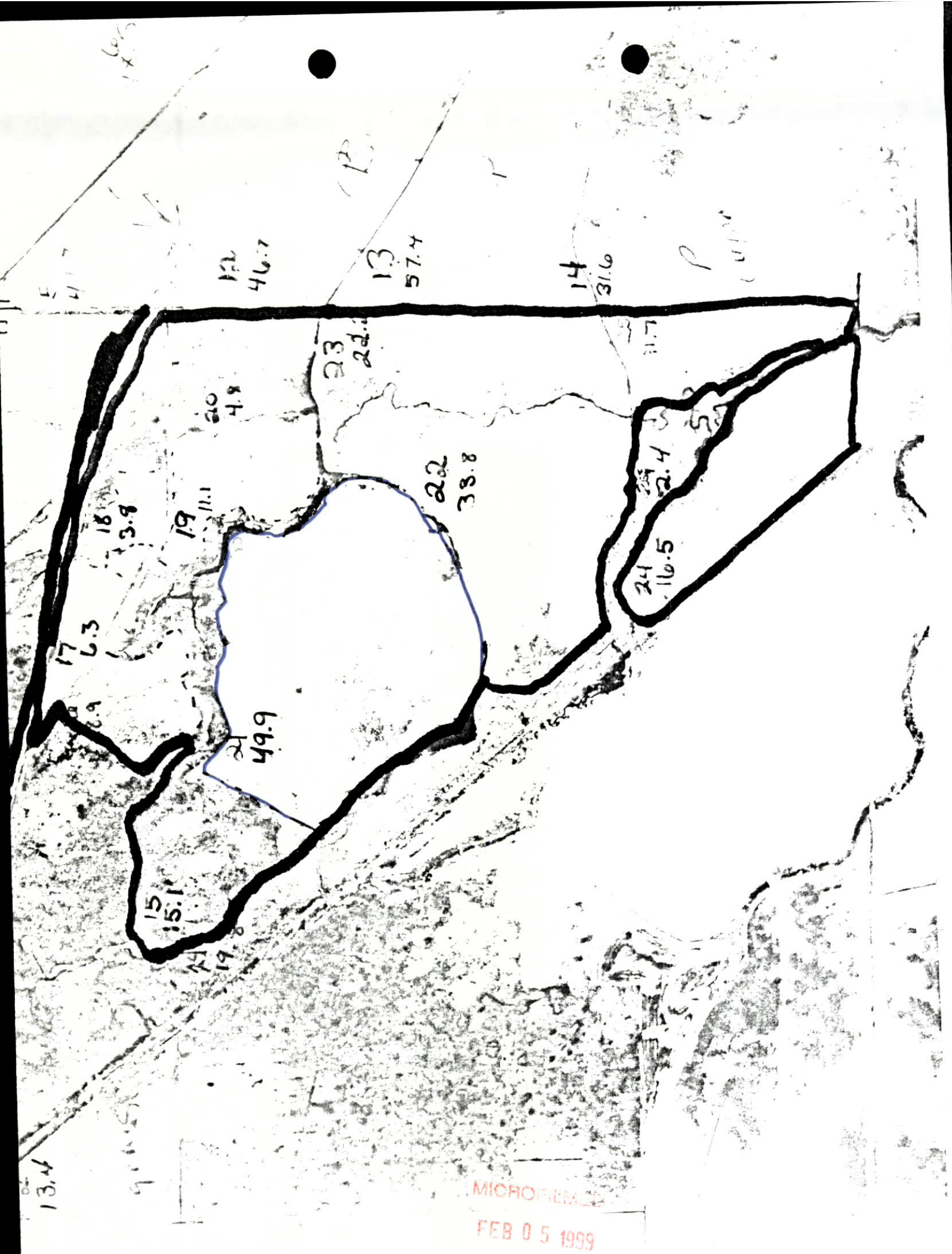
1988
photo

PICABO 1 SW QUAD
IDAHO
7.5 MINUTE SERIES (ORTHO)



SOUTH. RANGE NO. 19 EAST. OF THE BOISE MERIDIAN. IDAHO
DEPENDENT RESURVEY





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312

3135

21

6
410.4
3
7.4

21
1112

5
417

111
41.1

115.5

45

28.6

23.3

1117

15.7

12
19.6

17
48.1

2
13.4

gravel

22.5

16

13
17.9

17
6.3

18
3.9

19
11.1

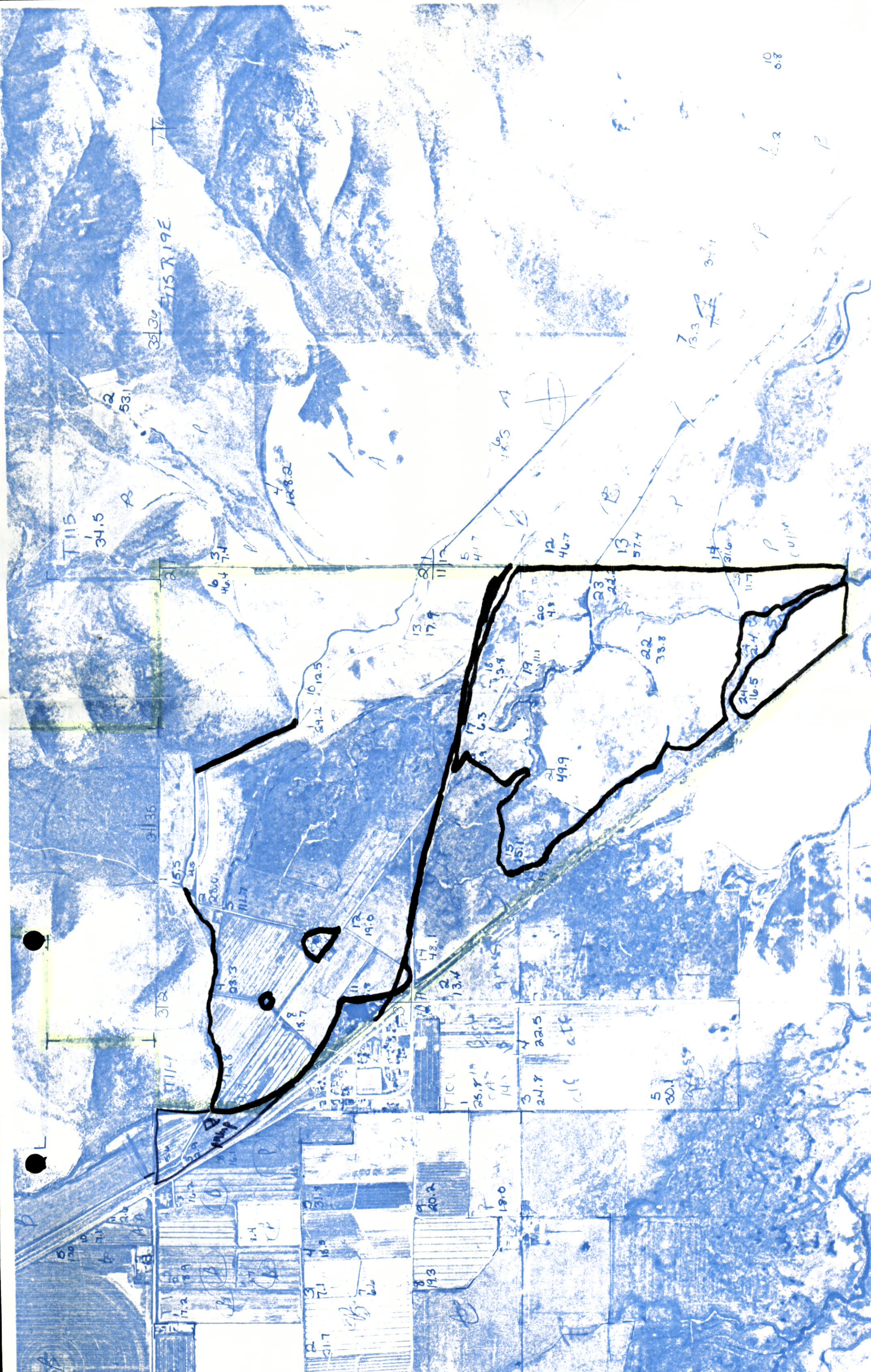
20
48

21
49.9

15
15.1

16
19.8

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FEB 5 1999



T115
34.5

3530
T115 R19E

2
53.1

6
46.4

4
108.2

8
29.2

10
12.5

13
17.9

8
11.2

5
41.7

16
48.3

12
46.7

13
57.4

7
13.3

14
31.6

24
16.5

25
11.7

5
30.1

3
24.8

4
22.5

1
25.8

2
14.5

8
19.3

9
20.2

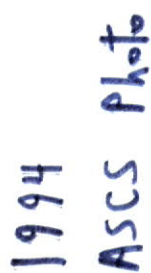
7
19.0

10
0.8

1.2

1.2

Actual 40 lines



RECEIVED

SEP 07 1995

Department of Water Resources
Southern Region

AFFIDAVIT of PUBLICATION

State of Idaho,

County of Blaine

} SS.

On this 6 day of Sept., in the year 1995, before me a Notary Public of said State, personally appeared **DANIEL J. GORHAM**, known or identified to me to be the person whose name is subscribed to be the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same. As the publisher of the Wood River Journal, he/she attests that said newspaper has been continuously and and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 30 day of Aug., 1995, and the date of the last publication was on the 6 day of Sept., 1995.

Subscribed and sworn to before me this 6th day of Sept., 1995.
(SEAL)

Roberta Lee Kercher

NOTARY PUBLIC

9751

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11.5
Number of Lines in Notice 139.100
Number of Insertions 2
Lines tabular at 6¢ / Pica
139.100 Lines straight at 79.983 5¢ / Pica
139.100 Subsequent lines at 63.986 4¢ / Pica
TOTAL COST +5 \$148.97

COPY OF NOTICE

(Paste Here)

Prop. ch. water right
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

ID Dept. Water Res.
BILL TO

Proposed Change of Water Rights

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS
Notice is hereby given that GERALD B. AND/OR AUDREY BASHAW, 195 EAST MORGAN ST., PERRIS CA 92370 have applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of IDAHO CODE and further described as Transfer No. 4678.

The purpose of this application is to change the Point of Diversion, change the place of use and create a permissible place with a companion transfer application (Transfer No. 4660/37-04141) involving a groundwater right.

WATER RIGHTS AS RECORDED:

Water Right No. 37-00125

Basis: Decreed to J.E. and Charlotte Calhoun in case of S.C. Frost et al vs Alturas Water Company et al dated 12/13/1909 in B Fourth District Court, Lincoln County.

Date of Priority: 4/1/1884

Amount: 0.20 cfs

Source: Silver Creek tributary to Little Wood River

Use: irrigation

Point of Diversion: Headgate #13, Stanfield Ditch.

Place of Use: 60 acres within SE1/4NE1/4, E1/2SE1/4, S11. T1S. R19E.

Water Right No. 37-00577BA, Transfer No. 45

Basis: Decreed to Wood River Land Company in case of Albretsen vs Wood River Land Company dated 6/27/1925 in Fourth District Court, Blaine County.

Date of Priority: 3/24/1883

Amount: 12.516 cfs

Source: Big Wood River tributary to Malad River

Use: irrigation 4/15-10/15

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TRANSFER OF WATER RIGHT

FEB 05 1999

TRANSFER NO. 4678
WATER RIGHT NO(S). 37-00125/37-04142/37-30000H

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
01N	19E	34		NESE 16		SESE 20			36
		35		NWSW 19		SWSW 35			54
01S	19E	2	Lot 2(SWNE)	15	Lot 3(SENW)	5	NESW	40	
			NWSW	33		SWSW	35	SESW	25
			NESE	25		NWSE	18	SWSE	10
			SESE	40					246
		3	Lot 2(SWNE)	8		NESE	30	NWSE	3
			SESE	4					45
		11	NENE	35		NENW	3	NWNW	15
									53
									434

Total number of acres irrigated: ** 434

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under these water rights will be regulated by the watermaster of State Water District Nos. 37 and 37M.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- ** 7. Right 37-00125 is limited to the irrigation of 60.0 acres within the place of use described above in a single irrigation season.
- ** 8. Right 37-04142 is limited to the irrigation of 374.0 acres within the place of use described above in a single irrigation season.
- ** 9. Right 37-30000H is limited to the irrigation of 379.0 acres within the place of use described above in a single irrigation season.
- ** 10. Rights 37-04142 and 37-30000H when combined shall not exceed the irrigation of 379.0 acres within the place of use described above in a single irrigation season.
- ** 11. Rights 37-00125, 37-04142 and 37-30000H when combined shall not exceed the irrigation of 423.0 acres within the place of use described above in a single irrigation season.

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TRANSFER NO. 4678
WATER RIGHT NO(S). 37-00125/37-04142/37-30000H

CONDITIONS OF APPROVAL AND REMARKS

- * 12. Approval of Transfer 4678 does not confirm claimed Right 37-04142.
- 13. Approval of Transfer 4678 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Dated this 13th day of January, 1999

J. Glen Saylor
Chief, Water Allocation Bureau

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FEB 05 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4678APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant GERALD B. AND/OR AUDREY BASHAW Phone 714-943-4014Post Office address 195 EAST MORGAN STREET PERRIS CA 92370

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Create PPU w/groundwater right
2. Describe the reason for the proposed changes CONSERVATION EASEMENT GRANTED ON LANDS: NO IRRIGATION. MOVING WATER TO OTHER FARMED ACRES REPRESENTING PERMISSIBLE PLACE OF USE.

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
A 37-04142	04/30/1931	4.600 CFS	IRRIGATION	04/15 to 10/15
		0.120 CFS	STOCKWATER	01/01 to 12/31
37-00125	04/01/1884	0.200 CFS	IRRIGATION	04/15 to 10/15
37-00577 Part	03/24/1883	0.690 CFS	IRRIGATION	04/15 to 10/15

2. Total amount of water being transferred 5.61 cubic feet per second and/or _____ acre-feet per annum.3. Source of water BIG WOOD RIVER tributary to MALAD RIVER4. Point(s) of Diversion: -SILVER-CREEK-- Loving Creek -LITTLE WOOD RIVER- Silver Creek
wastewater Loving Creek

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
2		SW	NE	03	01S	19E	BLAINE	LOVING CREEK #12A & #12B- 37-04142
		SW	SE	02	01S	19E	BLAINE	POND/PUMP WITH METER 37-0125 Loving 12-P
		SW	NW	36	02N	18E	BLAINE	HEADGATE 45 & DISTRICT CANAL 37-0577 Part

5. Lands irrigated or place of use: PERMISSIBLE PLACE OF USE WITH 37-04141; 37-00125; 37-04142; 37-00577(p)

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
01N	19E	34													16			20	36
		35										19	35						54
01S	19E	02			15					5	40	33	35	25	25	18	10	40	246
		03			8										30	3		4	45
		11	35				3	15											53

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FEB 15 1999

Total acres 434

PART 1**6. General Information:**

- a. Description of diversion system 21" PIPE CARRIES WATER TO POND AT WELL SITE WHERE IT CAN BE CO-MINGLED WITH G/W IF NEEDED, IT IS THEN PUMPED TO THE PIVOTS AND HANDLINES.
37-00125 IS MEASURED OUT AT POND IN SECTION 2 AND PUMPED TO PIVOTS.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? NO Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
ACREAGE WATER IS MOVED OFF OF WILL NOT BE IRRIGATED PER CONSERVATION EASEMENT AGREEMENT.

- d. Remarks:
THERE IS A NON-CONSUMPTIVE PERMIT, #37-08687, IN THE POND IN SECTION 2 DESIGNATED AS WILDLIFE, AES.: AES.S: FOR 2.00 CFS. USE OF THE WATER UNDER THIS RIGHT IS SUBJECT TO CONTROL BY THE WATERMASTER OF STATE WATER DISTRICT NO. 37M

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

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FEB 05 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A37-04142 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water WASTEWATER tributary to LOVING CREEK

4. Date or priority 04/30/1931

5. Water is used for the following purpose:

amount 4.600 CFS for IRRIGATION purposes from 04/30 to 10/31
(cfs/ac-ft)
amount 0.120 CFS for STOCKWATER purposes from 01/01 to 12/31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 4.720 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion: * AS SHOWN ON CLAIM ** SHOULD BE - THERE IS NO "NWNE" PER MAP, SHORT SECTION

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	03	01S	19E	BLAINE	LOVING CREEK #12A ~~& #12B~~
		SW	NE	03	01S	19E	BLAINE	LOVING CREEK #12A ~~& #12B~~

8. 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	19E	02									40	33	39	39	25	18	40	40	274
		03													30			7	37
		11	35	20			8												63

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FEB 05 1999

Total acres 374

9. Describe any other water rights used for the same purpose as described above A37-04141; A37-00125; A37-00577 (pt)

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. 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	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. 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	

Total acres _____

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FEB 03 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 37-00125 Decreed to J. E. AND CHARLOTTE CALHOUN
in case of S. C. FROST, et. al. vs. ALTURAS WATER COMPANY, et. al.
dated 12/13/1909 in FOURTH DISTRICT COURT county of LINCOLN
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A37-00125 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water * SILVER CREEK tributary to LITTLE WOOD RIVER

4. Date or priority 04/01/1884 * Decreed from Silver Cr. but diverted from Loving Creek

5. Water is used for the following purpose:

amount 0.200 CFS for IRRIGATION purposes from NOT GIVEN to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.200 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion: NOT GIVEN IN DECREE. P/D PER SRBA CLAIM

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	11	1S	19E	Blaine	Headgate #13 & Stanfield Ditch from
								Loving Creek

8. Lands irrigated or place of use: NOT SPECIFIED - FARM 420 ACRES TOTAL * P/U Per SRBA Claim

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	19E	02									X	X	X	X			X	X	
		11		X	X		X	X		X		X							
* 1S	19E	11				15									38			7	60

Total acres 60

9. Describe any other water rights used for the same purpose as described above 37-00577 (pt)

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO If yes, describe _____**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

MICROFILMED
FEB 05 1994

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A37-00125 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water LOVING CREEK tributary to SILVER CREEK

4. Date or priority 04/01/1884

5. Water is used for the following purpose:

amount 0.200 CFS for IRRIGATION purposes from 04/01 to 11/01
(cfs/ac-ft)
amount 0.030 CFS for STOCKWATER purposes from 01/01 to 12/31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.200 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	11	01S	19E	BLAINE	STANDFIELD #13

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
01S	19E	11				15									38			7	60

MICROFILMED
FEB 05 1999

Total acres 60

9. Describe any other water rights used for the same purpose as described above A37-11556

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 NO _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

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Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 37-00577 BA Decreed to WOOD RIVER LAND COMPANY
in case of ALBRETHSEN vs. WOOD RIVER LAND COMPANY
dated 06/27/1925 in FOURTH DISTRICT COURT county of BLAINE
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 37-00577/1 A37-11556 on file with the Idaho Department of Water Resources.
- d. Transfer No. 45 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water BIG WOOD RIVER tributary to MALAD RIVER

4. Date or priority 03/24/1883

5. Water is used for the following purpose: * Standard irrigation season

amount 12.516 CFS for IRRIGATION purposes from 10/4/30 4-15 * to 10/31 -15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 12.516 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	20	03N	18E	BLAINE	DISTRICT CANAL #45

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
01N	19E	18																	
		19																	
		34																	
02N	18E	22																	
		23																	
		31																	
		36																	
01S	19E	02	x	x	x	x													
		03	x	x	x	x	x	x	x	x	x								

Total acres _____

9. Describe any other water rights used for the same purpose as described above 37-04141, 37-04142, 37-00125

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED Per SRBA Claim

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.690 CFS for IRRIGATION purposes from 04/30 to 10/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: Same as 2.A.7.

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NE	03	01S	19E	BLAINE	LOVING CREEK #12A & #12B

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
01S	19E	02									40	33	39	39	25	18	40	40	274
		03													26			7	33
		11	35	20		2	8								7				72

Total acres 379**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT** (omit if there is no change)

1. amount 11.826 CFS for IRRIGATION purposes from 04/30 15 to 10/31 15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: _____

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	20	03N	18E	BLAINE	DISTRICT CANAL #45

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
01N	19E	18								X	X	X	X	X	X	X	X	X	
		19					X	X											
		34							X			X	X	X			X		
02N	18E	22			X										X				
		23										X							
		31							X			X	X						
		36				X													
01S	19E	02	X	X	X	X									X	X			
		03	X	X	X	X	X	X	X	X									

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A37-11556 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water BIG WOOD RIVER tributary to SNAKE RIVER

4. Date or priority 03/24/1883

5. Water is used for the following purpose:

amount 0.690 CFS for IRRIGATION purposes from 04/30 to 10/31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.690 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NE	03	01S	19E	BLAINE	LOVING CREEK #12A & #12B

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
01S	19E	02									40	33	39	39	25	18	40	40	274
		03													26			7	33
		11	35	20		2	8								7				72
											MICROFILMED								
											FEB 05 1999								

Total acres 379

9. Describe any other water rights used for the same purpose as described above A37-04141, A37-04142, A37-00125

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. 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	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. 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	

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Total acres _____

R. 19 E

28

27

25

4988

Spring

6201

Spring

Well
#860

NE SE

NW SW

T.

Spring

N.

x 5675

Ditch and
water picked up
in 21" pipe

Big Wood Ditch

Well

SW NE

SE NE

SW NW

SE NW

SW NE

SE NE

NW SE

NE SE

NW SW

NE SW

NW SE

NE SE

SW SE

SE SE

SW SW

SE SW

SW SE

SE SE

Bashaw's
Big Wood Ditch
water

Gannett

BM 4917

NW NW

NE NW

NW NE

NE NE

W NW

SE NW

SW NE

SE NE

NW SW

NE SW

NW SE

NE SE

SW SW

SE SW

SW SE

SE SE

4894

Storage Bin

Well

Wilson

MICROFILMED

Thompson

FEB 14 1973

Spring

STANFIELD

DITCH

LOVING

LOVING

LOVING

LOVING

LOVING

LOVING

LOVING

LOVING

LOVING

LOVING

LOVING

Hayspur
Fish Hatchery

13

BLAKE

Creek

Campground

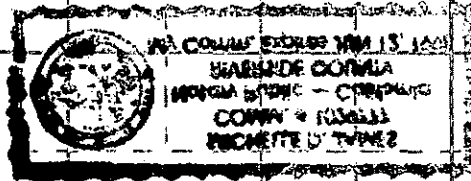
T#

4678

Silver Creek

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SEE ATTACHED MAP

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PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

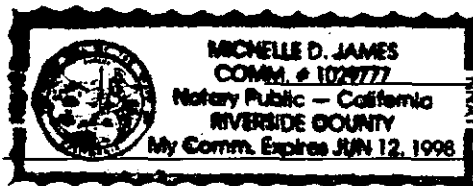
3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Eerald B. Bashaw
(Signature of Applicant)

Subscribed and sworn to before me this 20th day of MARCH, 19 95.



Michelle D. James
(Notary Public)

My commission expires

FOR DEPARTMENT USE ONLY

Transfer contains 14 pages and 3 attachments

Received by MTS Date 3-23-95 Protest filed by None

Prelim. check by J. Ellenton Fee \$100 (5017909)

Received by MTS Date 3-23-95

Published in Wood Ridge Journal Copies of protest forwarded by _____

Pub. dates 8/30 + 9/6/95 Hearing held by _____ Date _____

Watermaster recommendation requested on 8/18/95 Recommended for ☒ approval ☒ denial

_____ rec'd. 9/8/95 by ADM

Copy of transfer sent to lien holder _____

RECEIVED**MAR 23 1995**

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FEB 05 1999

Department of Water Resources
Southern Region

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

No. 5907

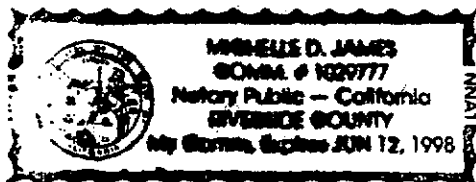
State of CALIFORNIA

County of RIVERSIDE

On March 20, 1995 before me, MICHELLE D. JAMES, NOTARY
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared GERALD B. BASHAW
NAME(S) OF SIGNER(S)

☒ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Michelle D. James
SIGNATURE OF NOTARY

OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

CAPACITY CLAIMED BY SIGNER

- ☒ INDIVIDUAL
☐ CORPORATE OFFICER

TITLE(S)

- ☐ PARTNER(S) ☐ LIMITED
☐ GENERAL

☐ ATTORNEY-IN-FACT

☐ TRUSTEE(S)

☐ GUARDIAN/CONSERVATOR

☐ OTHER: _____

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)

DESCRIPTION OF ATTACHED DOCUMENT

APPLICATION FOR TRANSFER OF WATER
RIGHTS TITLE OR TYPE OF DOCUMENT

8
NUMBER OF PAGES

March 20, 1995
DATE OF DOCUMENT

SIGNER(S) OTHER THAN NAMED ABOVE

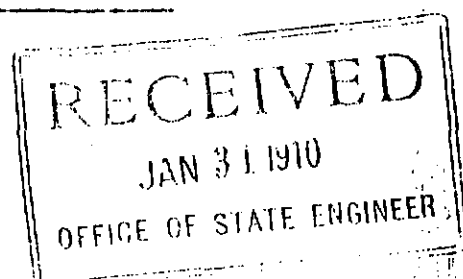
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FEB 05 1999

T # 4678

In the District Court of the Fourth Judicial District
of the
State of Idaho, in and for the County of Lincoln.



: : : : :
S. C. Frost, et al.,
P l a i n t i f f s,
vs.
Alturas Water Company, et al.,
D e f e n d a n t s.
: : : : :

DECREE.

This cause coming on to be heard this 6th day of October, 1909, upon the Report of F. J. Cowen, Referee heretofore appointed for the purpose of taking the testimony and making recommendations as to Findings of Fact, Conclusions of Law and Decree, to be entered herein, and the said F. J. Cowen having filed his Report of the testimony taken, and his recommendations as to Findings of Fact, Conclusions of Law, which have heretofore been adopted, and the respective plaintiffs and defendants and cross-complainants appearing herein by their respective counsel, and the court being fully informed and advised in the premises, and having ordered that judgment be entered in accordance with the Report and recommendations of the said Referee, Wherefore, by reason of the law and the Report and Findings of Fact and Conclusions of Law aforesaid,

It is Ordered, Adjudged and Decreed, that the several parties, plaintiffs and defendants herein named, do have judgment respectively for

JUN -14 1996
MICROFILMED
FEB 05 1999

37 0108	Brown, Rodney R.	50 inches.	Sept. 1, 1884.	Guy Hollow.
37 0109	Superceded by Brown v. Reardon	10	June 1, 1885.	Rock Creek.
37 0110	Bryant, John P.	80	Feb. 23, 1906.	Big Wood River.
37 0111	Buller, R. P. and Rosa B.	3	Apr. 17, 1883.	" " "
37 0112	Do.	32	June 20, 1884.	" " "
37 0113	Do. <i>superceded</i>	780	July 10, 1884.	" " "
37 0114	Do.	750	May 1, 1886.	" " "
37 0115	Do.	750	June 12, 1886.	" " "
37 0116	Do.	7	June 2, 1890.	" " "
37 0117	Do.	500	May 1, 1902.	" " "
37 0118	Do.	400	July 1, 1904.	Swamp on lands. TRANS #3251
37 0119	Burkell, Frank A.	160	July 17, 1906.	Big Wood River.
37 0120	Butch, James W.	260	June 1, 1884.	East Fork of Big Wood River.
37 0121	Butler, Alvin L.	115	May 31, 1898.	Big Wood River.
37 0122	Byrne, John and Patrick	252	May 1, 1887.	" " "
37 0123	Byrne, Michael J. and Thos. J. Jr.	500	May 1, 1887.	" " " Trans #75
37 0124	Byrne, Thomas, Br.	40	May 1, 1887.	" " "
37 0125	Calhoun, J. B. and Charlotte	10	Apr. 1, 1884.	Silver Creek.
✓	Cameron, Ed.			Little Wood River Canal Company shares.
37 0126	Cassler, William	120	Aug. 2, 1897.	Big Wood River.
37 0127	Carey, James	80	May 15, 1884.	Little Wood River. (Also shares in Little Wood River Canal Co.)
37 0128	Carey, J. H.	100	June 1, 1882.	Corral Creek.
37 0129	Carpenter, Albert	160	Jan. 27, 1908.	Big Wood River.
37 0130	Carpenter, Forrest A.	160	Jan. 27, 1908.	" " "
37 0131	Carpenter, Henry	160	May 15, 1897.	" " "
37 0132	Carpenter, Herbert	160	May 15, 1888.	Soldier Creek.
37 0133	Carpenter, Salem	160	May 15, 1899.	Big Wood River.

Trans #87-which right
not known.
Trans #298

#446-779-240

(?)

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JUN 04 1996 FEB 05 1999

Byrne, Michael J. and
Thomas J., Jr.

NE 1/4 of Sec. 22, S 1/2 of SW 1/4 of Sec. 15,
N 1/2 of NW 1/4 of Sec. 22, S 1/2 of NW 1/4
and NW 1/4 of SW 1/4 of Sec. 22, and S 1/2 of
SE 1/4 of Sec. 15, T. 3 S., R. 18 E., contain-
ing 520 acres.

Byrne, Thomas, Sr.

NE 1/4 of SW 1/4 of Sec. 15, T. 3 S., R. 18 E.

Calhoun, J. E.
and Charlotte

SW 1/4 of Sec. 2, S 1/2 of SE 1/4 of Sec. 2, E
1/2 of NW 1/4 and W 1/2 of NE 1/4 of Sec. 11,
T. 1 S., R. 19 E. Also, fractional parts of
NW 1/4 of NW 1/4 and all of NW 1/4 of SE 1/4
of said Section 11, containing in all about
420 acres, more or less.

Cameron, Ed.

E 1/2 of NW 1/4 of Sec. 11, T. 2 S., R. 21 E.,
containing 80 acres.

Canzler, William

SW 1/4 of SE 1/4, E 1/2 of SW 1/4 and NW 1/4 of
SW 1/4 of Sec. 33, T. 3 S., R. 18 E., contain-
ing 160 acres.

Carey, James

S 1/2 of NE 1/4 and N 1/2 of SE 1/4 of Sec. 21,
T. 1 S., R. 21 E.

Carey, J. H.

NW 1/4 of NE 1/4, NE 1/4 of NW 1/4 of Sec. 32,
SE 1/4 of SW 1/4 and SW 1/4 of SE 1/4 of Sec.
29, T. 1 N., R. 13 E., containing 160 acres.

Carpenter, Albert

S 1/2 of SW 1/4 of Sec. 17, and N 1/2 of NW 1/4
of Sec. 20, T. 5 S., R. 15 E., -- 160 acres.

Carpenter, Forrest A.

S 1/2 of SW 1/4, NE 1/4 of SW 1/4, and NW 1/4 of
SE 1/4 of Sec. 20, T. 5 S., R. 15 E., contain-
ing 160 acres.

Carpenter, Henry

E 1/2 of SE 1/4, SW 1/4 of SE 1/4 and SE 1/4 of
SW 1/4 of Sec. 30, T. 5 S., R. 15 E.

Carpenter, Herbert

SE 1/4 of Sec. 29, T. 1 N., R. 14 E., containing
160 acres.

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FEB 05 1999

JUN 04 1998

spectively awarded such use in the various actions and decrees to which they are parties, respectively; but that this right shall not be construed to be a double appropriation of the waters of said streams, and wherein the said parties are reawarded such amounts in this decree, they and their successors in interest, respectively, shall be entitled to the use of only one of such rights, to-wit: either the right named in said decrees, or the right otherwise awarded in this decree.

It appearing to the court herein that the necessary costs, expenses and disbursements incurred in connection with the taking of the testimony in this action, and in the preparation and filing of the decree herein, together with the necessary costs and expenses of the distribution of the waters of said stream for the season of 1909, amount to the sum of approximately \$2700.00, in addition to the amounts heretofore paid by the respective parties to this action, and that there is filed herewith a tabulated statement apportioning such costs as near as may be among the various claimants and decreed rights in this action,

It is Therefore Further Ordered, that the various parties, plaintiffs and defendants herein, pay to the Clerk of this court the respective amounts set opposite their names in the said statement, for which execution may issue herein.

And it is Further Ordered, that none of the parties hereto, or their successors in interest, shall be entitled to the use of any water under the terms of this decree until the respective amounts as assessed in said statement shall be paid into court.

And it is Further Ordered, that each party hereto shall pay his own necessary costs for witnesses and other individual expenses.

Dated at Pocatello, Idaho, December 13th 1909.

Alfred H. Hodge

Presiding Judge.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866 www.idwr.state.id.us/idwr/idwrhome.htm

January 14, 1999

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

GERALD B BASHAW
AUDREY BASHAW
195 E MORGAN STREET
PERRIS CA 92370

RE: Water Rights 37-00125/37-04142/37-30000H (Transfer 4678)

Dear Mr. & Mrs. Bashaw :

Enclosed is the copy of your approved Transfer of Water Right for the above referenced water rights (Transfer 4678). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

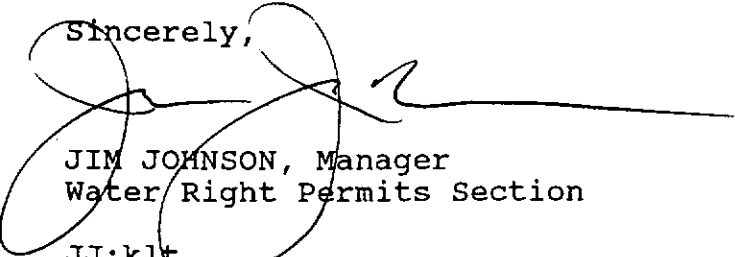
As of July 1, 1996, all water right owners are required to report any change in water right ownership and any change of mailing address to the department.

If you have acquired any other water right or have changed your mailing address **PRIOR TO** July 1, 1996, you have until July 30, 1998, to record the ownership and/or address change with the department.

If you acquired other water rights or changed your mailing address **AFTER** July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes in a timely manner could result in a \$100 late filing fee. You can contact any office of the department for more information. If you have any questions concerning your water right listed above you can contact me at (208) 327-7947.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt
Enclosures

MICROFILMED

FEB 05 1999

CERTIFICATE OF MAILING

I hereby certify that on the 14th day of January, 1999 I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

WATER RIGHTS 37-00125/37-04142/37-30000H (Transfer 4678)

**GERALD B BASHAW
AUDREY BASHAW
195 E MORGAN STREET
PERRIS CA 92370**



Kari Lynn Townsend
Secretary

MICROFILMED
FEB 05 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208)327-7900 FAX: (208)327-7866 www.idwr.state.id.us/idwr/idwrhome.htm

January 14, 1999

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

LEE PETERSON
WATERMASTER
BOX T
SHOSHONE ID 83352

RE: TRANSFER OF WATER RIGHTS 37-00125/37-04142/37-30000H
(Transfer 4678)

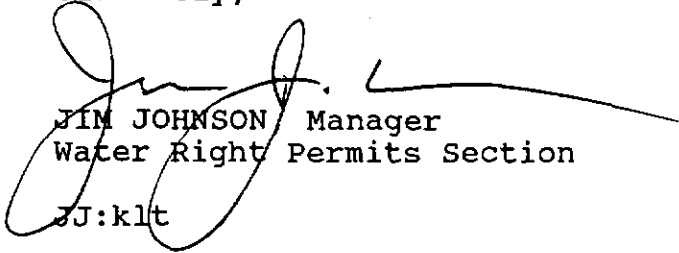
Dear Lee:

Enclosed is a copy of the recently approved Transfer of Water Right for the above referenced water rights (Transfer 4678) in the name of Gerald B. & Audrey Bashaw.

Also enclosed is a copy of the reviewers notes.

If you have any questions, please call me at 208-327-7947.

Sincerely,


JIM JOHNSON Manager
Water Right Permits Section

JJ:klt

Enclosures

MICROFILMED

FEB 05 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

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FEB 05 1999

MEMORANDUM

TO: Files 37-00125, 37-04142 & 37-30000H

FROM: Pam Skaggs^P/State Office

SUBJECT: Transfer 4678

DATE: January 13, 1999

Transfer 4678 changes the place of use under all of Rights 37-00125 and 37-04142, and a portion of Right 37-30000E, splitting the right into Parts G and H. The transfer identifies the surface water rights used in combination with groundwater under Right 37-04141 (See companion Transfer 4660), creating 434 acre permissible place of use.

The points of diversion under each right are modified through the transfer to reflect the current system. The source under Right 37-00125 is also changed from Silver Creek to Loving Creek, which is tributary to Silver Creek. From review of the map and the decreed place of use, it would appear that Loving Creek was always the source since the place of use is well above the confluence of Loving Creek and Silver Creek. The SRBA claim also identifies Loving Creek as the source.

There is some concern about the actual historical use under these rights that will be addressed through the adjudication process. The total irrigated acres under all rights has been identified by region review as 423.0 acres. The validity of all rights are subject to review by the SRBA and this transfer approval does not confirm statutory claim 37-04142.

Season of use and diversion volume were adjusted to current standards. Recommended conditions include watermaster control, measuring & lockable devices, irrigation overlap, permissible place of use, combined right limits, non-confirmation of claim, right-of-way and standard transfer conditions.

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FEB 05 1999

TRANSFER REVIEW SHEET

(04-98)

Transfer # 4678

Date Reviewed 6-22-98
38

Right(s) 37-00125
37-04142
37-00577 PART (A37-11556) (37-30000E) } No Action per
BA SRBA Status
Report.
✓ WRQ/Split Summary ✓ Run POU Comparison Report

B:Change P/D C:Add P/D D:Change P/U E:Change Nature of Use
F:Change Period of Use G:Other H:Change P/D & Add P/D
I:Change P/D & P/U (Correct Source 37-00125) J:Add P/D & Change P/U

Proof of Ownership SRBA Claims + Watermaster WD 37

Transfer ✓ 37-00125 + 37-04142
Resulting Split(s) ✓ All of Right Portion of Right
37-30000G 23.72 cfs 37-30000E G
H .69 cfs 379 Acres claimed

Check Transfer Against Recorded Right Season/Vol. B/3.5

(1) ✓ Priority (2) ✓ Use (3) 3 Season (4) ✓ Rate (5) 5 Volume
(6) Multiple Sources (7) Source (8) P/D (9) ✓ P/U (10) ✓ Proof/Owner (11) ✓ Map

(11) 37 Water District (12) NO Pertinent Conditions (13) NO Expansion
WM Comment Rwd. 9-8-95 Limits/Subject to SRBA

- (2) Standard Season 4-15 to 10-15 for IRR
- (5) Standard Vol = 3.5 x Acres 37-04142 provides VIB 37-00125 + 30000H = VBR
- (6) Identify individual source ea. rt.
Correct Source under 37-00125 - Change from Silver Creek to Loving Creek
tributary to Silver Creek. (Same as AT) P/U in Sec 2 + 11 above Silver Creek.
- (7) Change P/D under 37-30000H, Correct QA in Lot 2 under 37-04142 +
identify P/D under 37-00125
- (8) Create PP/U 434 Acres - 100 Acres claimed 37-00125, 37-04142 / 374 Acres
379 Acres claimed 37-30000H (Overlaps w/37-04142)

8-6-98 Process xfer as proposed creating PP/U - limit each rt. per JJ

Transfer Remarks W35 PP/U each rt. W58 - Non Confirmation 37-04142 W55
37-04142 + 37-30000H / 379 Acres All 3 rts / 423 total acres (confirmed
Conditions R04, R43, R63, T07, T08, T09 IRR Acres
TOTAL)

Database/Processing Notes Standard ✓ Non-Standard ✓
I Files - Special edit approval - Edit 37-00125 remarks when approved. ✓
Clear 37-30000E when approved.
"T" Files Update Complete ✓ Approval Form ✓ Transfer Memo ✓
Database Updated Following Approval ✓ Memo/Form Files Deleted ✓

01-14-99 38

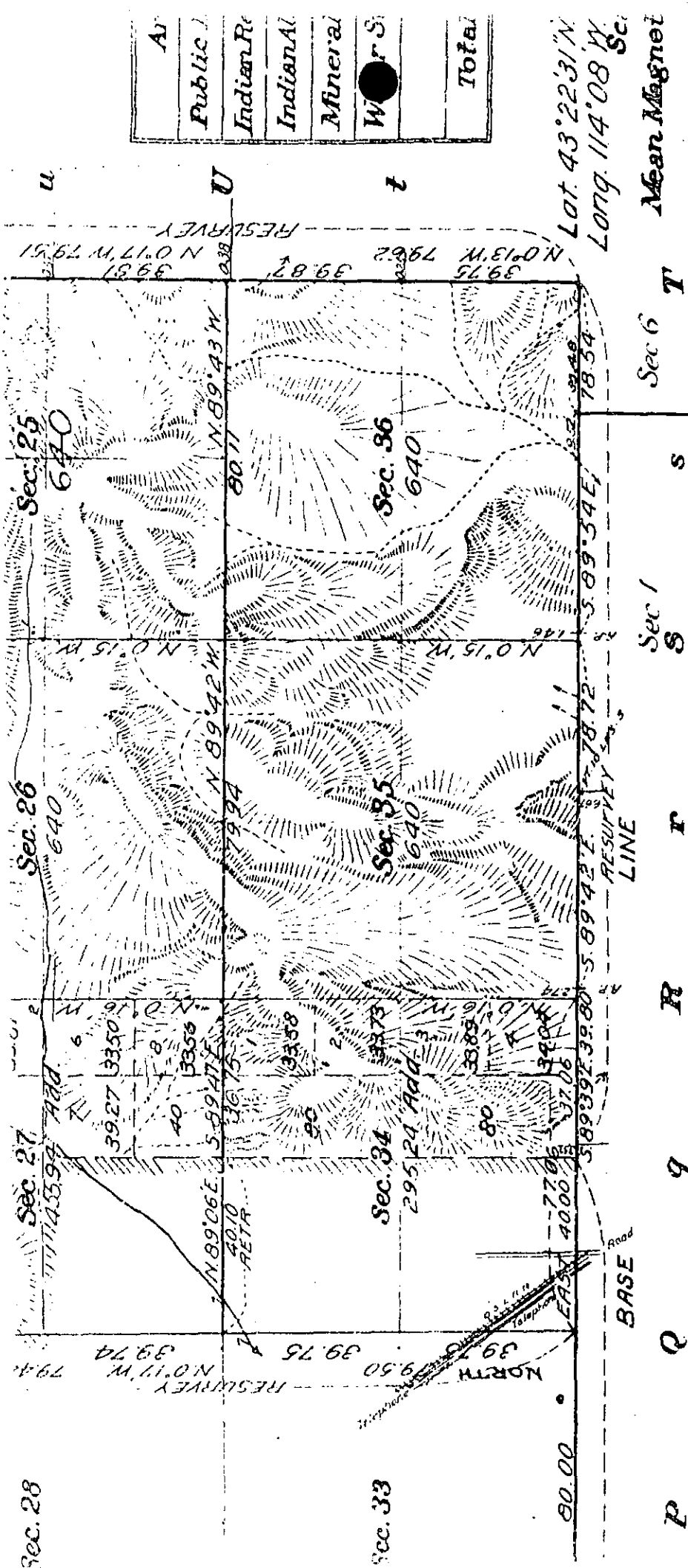
See Back for W.Rs. ↓

37-00125	.20 cts	72.6 aba	60 Acres	IRR
37-04142	4.60 cts	1309.0 aba	374 Acres	IRR
	<u>.12 cts</u>	<u>6.0 aba</u>	450 Cattle	STOCK
	4.72 cts	1315.0 aba		
37-30000H	.69 cts	250.5 aba	379 Acres	IRR
	5.49 cts	≠ 1480.5 aba	≠ 423 Acres	IRR
	<u>.12 cts</u>	<u>6.0 aba</u>	<u>450 Cattle</u>	<u>STOCK</u>
	5.61 cts	(1486.5 aba)	(423 Acres/450 Cattle)	IRR + STOCK

VIR 423 acres
 IRR + STOCK
 Volume

per total acres
 confirmed IRR
 by region

.013 cts/acre w/combined



at Surveys		When Surveyed.	
hs.	Lks.	Began.	Completed.
56	94	Nov 7 1910	Nov 11 1910
4	32	" " "	" " "
9	47	Oct 30 1910	Nov 1 1910
7	78	" " "	" " "
7	06	" 31 "	" 1 "
5	26	Nov 1 1910	Oct 4 1913
6	23	" 1 "	" 4 "
9	53	July 9 1879	July 12 1879
0	00	July 13 1873	July 13 1873

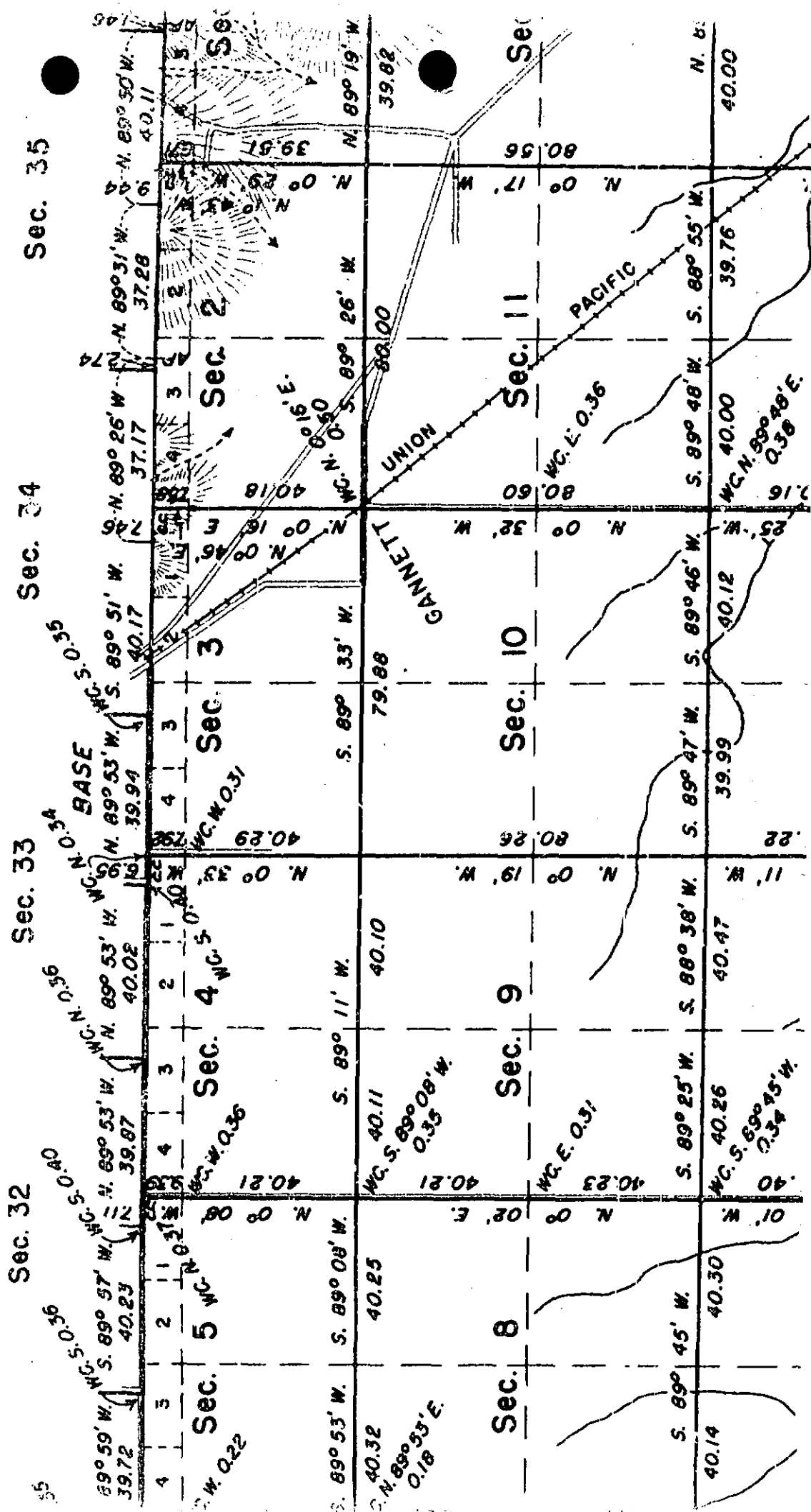
The above map of Township No. 1 North, Range No. 19 East Meridian, Idaho, is strictly conformable to the field notes in this office, which have been examined and approved.

U.S. Surveyor-General's Office,
Boise, Idaho, December 15, 1913.

[Signature]

T O I N R I 9 E

TOIS R19E
1940



T01S R19E S 3		8			30	3	4
A3700113C	BIG WOOD R :	:	04-16	:	:	:	16
R3700113C	BIG WOOD R :	:	04-16	:	:	:	16
T3700125	LOVING CRE :	02-8	:	:	30	3	4
A3700355	BIG WOOD R :	:	04-16	:	:	:	16
R3700355	BIG WOOD R :	:	04-16	:	:	:	16
A3700577BZ	BIG WOOD R :	:	04-16	:	:	:	16
R3700577BZ	BIG WOOD R :	:	04-16	:	:	:	16
A3700577K	BIG WOOD R :	:		:	40	:	40
A3700682	BIG WOOD R :	:	04-16	:	:	:	16
R3700682	BIG WOOD R :	:	04-16	:	:	:	16
A3700683	BIG WOOD R :	:	04-16	:	:	:	16
R3700683	BIG WOOD R :	:	04-16	:	:	:	16
A3700684	BIG WOOD R :	:	04-16	:	:	:	16
R3700684	BIG WOOD R :	:	04-16	:	:	:	16
3700800	GROUNDWATE :			:			
3700801	GROUNDWATE :			:			
3700803	GROUNDWATE :		04-16	:			16
A3700803	GROUNDWATE :		04-16	:			16
R3700803	GROUNDWATE :		04-16	:			16
3700804	GROUNDWATE :	02-10		03-15	40	38	103
A3700804	GROUNDWATE : Brown	02-10		03-15	40	38	103
A3700891B	BIG WOOD R :	:	04-16	:	:	:	16
A3701206	BIG WOOD R :	:	04-16	:	:	:	16
3702305	BIG WOOD R :	:	04-16	:	:	:	16
3702448	WASTE WATE : Brown	02-20 01-20		03-20	40		100
3702476	GROUNDWATE :		04-16	:	:	:	16

T 4660 & 467

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		NE		NW		SW		SE		NE		NW		SW		SE		
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
A3702476	GROUNDWATE :																	16
R3702476	GROUNDWATE :																	16
3702479	GROUNDWATE :																	114
A3702479	GROUNDWATE :																	114
3702481	GROUNDWATE : Brown			02-10				03-15		40						38		103
3702568	GROUNDWATE :											40						40
A3702568	GROUNDWATE :											40						40
3704141	GROUNDWATE :															30	7	37
A3704141	GROUNDWATE :															30	7	37
T3704141	GROUNDWATE :			02-8 ✓												30	3 ✓ 4	45
3704142	WASTE WATE :															30	7	37
A3704142	WASTE WATE :															30	7	37
T3704142	LOVING CRE :			02-8 ✓												30	3 ✓ 4	45
3704362	GROUNDWATE :																1	1
A3704362	GROUNDWATE :																1	1
3704371	GROUNDWATE :																2	2
A3711556	BIG WOOD R :															26	7	33
A3711830	BIG WOOD R : Part 131-06577			02-10 Brown				03-15		40						38		103
A3712399	GROUNDWATE :																2	2
3730003	BIG WOOD R :																	
--86 MAP--	C130-Y 75 :									39	38	38	39	28	33	28	25	268
NO QTRS	MAPPING	Lot02-11 Lot03-17 Lot04-17																

35 3 15

35 40 Not Claimed

35 20

35 20

35 20

35 20

35 20

2 8

37 12

38

Not Claimed Here

38

7

60

53

40

40

15

15

63

63

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63

63

53

14

14

60

72

49

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
A3712341	SPRINGS	:		:		:		:		20	:			:		:		20
A3712342	SPRINGS	:		:		:		:		20	:			:	5	:		45
--86 MAP--	C13Q-Y 75	:	36	:	39	:	40	:	40	:	42	:	41	:	36	:	41	636

T01N R19E S 34

16

20

A3700115B	BIG WOOD R	:		:		:		:		3	:			:		:		3
T3700125	LOVING CRE	:		:		:		:			:			:	16	:	20	36
3700481	BIG WOOD R	:		:		:	1	:	1	:		:		:		:		45
A3700481B	BIG WOOD R	:		:		:	1	:	31	:	13	:		:		:		45
3700482C	BIG WOOD R	:		:		:	1	:	1	:		:		:		:		45
A3700482G	BIG WOOD R	:		:		:	1	:	31	:	13	:		:		:		45
A3700483B	BIG WOOD R	:		:		:	1	:	31	:	13	:		:		:		45
A3700665K	BIG WOOD R	:		:		:	1	:	31	:	13	:		:		:		45
A3700666J	BIG WOOD R	:		:		:	1	:	31	:	13	:		:		:		45
A3700667C	BIG WOOD R	:		:		:		:		:		:	3	:		:		3
A3700667N	BIG WOOD R	:		:		:	1	:	31	:	13	:		:		:		45
3700713B	BIG WOOD R	:		:		:		:		:		:	15	:	27	:	1	43
A3700713B	BIG WOOD R	:		:		:		:		:		:	15	:	27	:	1	43
A3700881	BIG WOOD R	:		:		:		:		:		:	3	:		:		3
3702684	GROUNDWATE	:		:		:		:		:		:	40	:	40	:	29	109
A3702684	GROUNDWATE	:		:		:		:		:		:	15	:	27	:	1	43
T3704141	GROUNDWATE	:		:		:		:		:		:		:		:	16	36
T3704142	LOVING CRE	:		:		:		:		:		:		:		:	20	36
3704433	GROUNDWATE	:		:		:		:		:		:	3	:		:		3
A3704433	GROUNDWATE	:		:		:		:		:		:	3	:		:		3
A3711671	BIG WOOD R	:		:		:		:		:		:	15	:	27	:	1	43
--86 MAP--	C13Q-Y 75	:		:		:	1	:	36	:	22	:		:	24	:	34	124
NO QTRS	MAPPING	:		:		:		:		:		:		:		:		

Lot04-02

T01N R19E S 35

19 35

T3700125	LOVING CRE	:		:		:		:		19	:	35	:		:			54
3702267	SPRINGS	:		:		:		:			:		:			:	40	40
T3704141	GROUNDWATE	:		:		:		:		19	:	35	:		:			54
T3704142	LOVING CRE	:		:		:		:		19	:	35	:		:			54
--86 MAP--	C13Q-Y 75	:		:		:		:			:		:	7	:			7

SPLIT RIGHT SUMMARY
07-15-98

-	37-00125	CALHOUN, CHARLOTTE	C	04/01/1884 D/	SILVER CREEK	IRR	WR
-		CALHOUN, J. E.	C				
-	T37-00125	BASHAW, GERALD B	C	04/01/1884 D/	LOVING CREEK	IRR	WR
-		BASHAW, AUDREY	C		BIG WOOD RIVER		
-	-----						
-	A37-00125	BASHAW, GERALD B	C	04/01/1884 D/	LOVING CREEK	IRR	AJ
-		BASHAW, AUDREY	C			STOCK	
-	-----						
-	37-04142	MASLEN, HOLBROOK	C	04/30/1931 S/	WASTE WATER	IRR	WR
-						STOCK	
-	T37-04142	BASHAW, GERALD B	C	04/30/1931 S/	LOVING CREEK	IRR	WR
-		BASHAW, AUDREY	C		BIG WOOD RIVER	STOCK	
-	-----						
-	A37-04142	BASHAW, GERALD B	C	04/30/1931 S/	WASTE WATER	IRR	AJ
-		BASHAW, AUDREY	C			STOCK	
-	-----						
-	37-30000			00/00/0000 /Z			WR
-	37-30000A			00/00/0000 /Z			WR
-	37-30000B	WILLARD, MICHAEL	C	03/24/1883 D/	BIG WOOD RIVER	IRR	WR
-		WEAVER, PATRICIA	C				
-	37-30000C			00/00/0000 /Z			WR
-	37-30000D	GRIFFIN FAMILY TRUST	C	03/24/1883 D/	GROUNDWATER	IRR	WR
-	37-30000E	WOOD RIVER LAND CO	C	03/24/1883 D/	BIG WOOD RIVER	IRR	WR
-	37-30000F	GRAYSTONE INC	C	03/24/1883 D/	BIG WOOD RIVER	IRR	WR
-						AES	
-	-----						

37-00577AZ - Renumbered as 37-30020 (Trans. #2718).
37-00577BA - This portion and portion BN were "remainder" parts
and were renumbered as 37-30000.
37-00577BB - Renumbered as 37-30021 (Trans. #2724/3330).
37-00577BC - Split into BL & BM by Trans. #3286.
37-00577BD - Renumbered as 37-30022 (Trans. #3196).
37-00577BE - Split into BG & BH by Trans. #3323.
37-00577BF - Renumbered as 37-30023 (Trans. #3274).
37-00577BG - Split into BJ & BK by Trans. #3354.
37-00577BH - Renumbered as 37-30025 (Trans. #3323).
37-00577BJ - Renumbered as 37-30026 (Trans. #3354).
37-00577BK - Renumbered as 37-30027 (Trans. #3354).
37-00577BL - Split into BN, BP, BQ, and BR by Trans. #3487/3565/
3574.
37-00577BM - Renumbered as 37-30024 (Trans. #3286).
37-00577BN - This portion and portion BA were "remainder" parts
and were renumbered as 37-30000.
37-00577BP - Split into BS & BT by Trans. #4520.
37-00577BQ - Renumbered as 37-30032 (Trans. #3565).
37-00577BR - Renumbered as 37-30033 (Trans. #3574).
37-00577BS - Renumbered as 37-30028 (Trans. #3487/4520).
37-00577BT - Renumbered as 37-30029 (Trans. #4520).

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DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

AL REVIEW BY:

J. E. Stanton

T 4678

Right number

37-04142

Applicant

Bashaw, Gerald B

Type of right:

☒ Decree

☒ License

☒ Claim

Purpose of transfer:

☒ Change point of diversion

☐ Add diversion point(s)

☒ Change place of use

☐ Other _____

Check:

a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use

b. ☒ Description of original point of diversion.

c. ☒ Description of original place of use.

5. Amount of land &/or water transferred:

a. ☒ All of right.

b. ☒ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).

c. ☒ Check description of point(s) of diversion.

d. ☒ Check description of place of use.

e. ☒ Check map (shows p.d. and p.u. after transfer).

f. ☒ Check for correct signature, notarization, and fee.

g. ☐ Check proof of ownership of right &/or land from which water is transferred.

Not in file but confirmed
by Watermaster 5-8-95

h. ☒ Check for expansion in use of right. Comments _____

SRBA will determine present P/U

i. ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) All in transfer

j. ☒ Is use within a Watermaster District? ☒ Yes ☐ No

If yes, what district? 37, 37-M

FINAL PROCESSING REVIEW BY:

AD

1. Watermaster recommendation requested on

8/18/95

Received on

9/8/95

2. Is transfer published correctly? ☒ Yes ☐ No

3. Protest received?

☒ Yes ☒ No

Withdrawn

COMMENDED ACTION

1. ☒ Approve

2. ☒ Deny

3. Conditions*

See memo dated

8/19/97

4. By

AD

Date

8/19/97

All uses within Watermaster Districts require special conditions.

T-4678

FROM: Allen Merritt

DATE: August 19, 1997

TO: Transfer File No. 4660 & 4678
In the Name of: Bashaw

SUBJECT: Review and Recommendation

These transfers deal with creating a common PPU and should be reviewed together. Transfer 4660 involves the groundwater right within the PPU. Transfer 4678 deals with the surface water rights to be placed in the PPU. The groundwater right is presently solely contained in the proposed PPU. The surface water rights cover a portion of the PPU and the transfer application proposes to dry up some acres outside the PPU in exchange for allowing the PPU to expand. Jim has analysed this aspect of the surface water transfer and finds that the lands proposed to be dried up in fact are sub-irrigated and the lands recently developed were dry. Because of this it appears there is an expansion of use.

After reviewing Jim's 5/15/97 memo & maps I created the "Before" and "After" maps to show the affects on paper of the transfer. Since Jim's original maps did not agree with the tract lines I requested that he construct another map showing what he observed and this map is labeled JS 8/7/97.

I recommend that both transfers be approved in part. I recommend that the PPU be reduced to the 333 acres in Sections 02, 03 & 11, T01S, R19E & Section 34, T01N, R19E as shown on JS 8/7/97 excluding the acres listed as expanded. I recommend that the lands in Sections 34 & 35 listed as expanded be removed from the PPU and be ordered to be discontinued from irrigation. Approval of the transfers should be in the form of a recommended order.

Other conditions:

- Rights under the control of watermaster of district 37.
- Measuring devices and control works @ all points of diversion.
- All lands not covered by water right shall cease to be irrigated.
- Subject to SRBA.

MICROFILMED
FEB 05 1999

TO: File

DATE: May 15, 1997

FROM: Jim Stanton

SUBJECT: Apps. for Transfer, Gerald Bashaw

I met with the applicant on 5-13-97 to discuss the proposed transfers. We looked at his water systems and the place of use. The proposed changes have already occurred. ASCS records show that the land south of the Gannett Road was reported as dry grazing since 1991. According to Mr. Bashaw, this land was gravity irrigated with ditches or with a portable pump. The land also sub irrigates, so can appear green even without actual irrigation. The ditches and headgates are still in place, but he has an agreement with the Nature Conservancy to leave the land in a natural condition. ASCS photos show that about 143-151 acres south of the Gannett Road could have been historically irrigated (1994 slide data).

North of the Gannett Road, Mr. Bashaw sprinkles his land with two pumps. The District Canal from the Big Wood River ends near the NW corner of his land, splitting into two private ditches. He pumps out of the Canal with a 20 hp motor to sprinkle about 16 acres with wheel lines. His private ditch goes from the Canal a short ways, then becomes a buried pipeline that comes up in a small pond near his irrigation well. A 100 hp relift pump pressurizes pond water for sprinklers (4.38 cfs theoretical capacity at 60 psi). A 125 hp motor on the well turns on if the pond gets too low. Either the surface water is being used or the well is on, but not both at the same time. A 5 hp pump on the west end of the above-ground mainline serves land west of the pond/well.

The 1994 ASCS slide shows about 420 acres north of the Gannett Road being irrigated. About 102 of these acres were not irrigated in 1990, the earliest year for which slide data is available. So it APPEARS that the number of acres that have been dried up south of the road is less than the number of new acres that have been put into production north of the road. However, the land south of the road was mostly subby pasture, whereas the land north of the road is all in row crops such as hay and grain. William Sherbine, who farmed this property for a long time, told me that he never irrigated south of the road; natural sub moisture was sufficient to keep the ground wet. There is also an additional 45 acres that were irrigated in 1990 but that appear to lie above the original irrigation ditch that flowed through the land north of the road. Mr. Bashaw told me that he bought the property about 1990, and that the 45 acres above the ditch were watered with pumps and handlines then. He did not have historical knowledge of the irrigation practices before then.

Mr. Bashaw has been very respectful and cooperative in this matter - a nice guy- so I don't enjoy recommending that this transfer be denied. But my conclusion is that no land has been taken out of

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FEB 05 1999

production in order to irrigate additional land north of the Gannett Road. I have been told that the local residents are quite upset about this situation, as they know what he has done. Allowing this transfer would be in violation of Sec. 42-222(2) of the Idaho Code, and would make us look bad to the local folks. They would feel that, if he can expand his acres, they also should be allowed to do this also.

Mr. Bashaw is already irrigating land that does not have historic usage or a valid water right, so a cease-and-desist order should be issued. The largest tract of new land is in Sec. 34 & 35, and this could be easily be taken out of production. The rest of the land is odd-shaped chunks in Sec. 2 that are watered with handlines, and this would be difficult to separate from the legal ground. I have been told that the applicant is very wealthy, so he can probably afford to buy other valid water rights and transfer them to the new ground. So denying the two pending transfers, and issuing the cease-and-desist order, will in all likelihood not cause an economic hardship to Mr. Bashaw. Anything less will set a bad precedent that will only cause bigger problems in the future, and will make it that much harder for us to take proper action on future transfers.

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FEB 05 1999

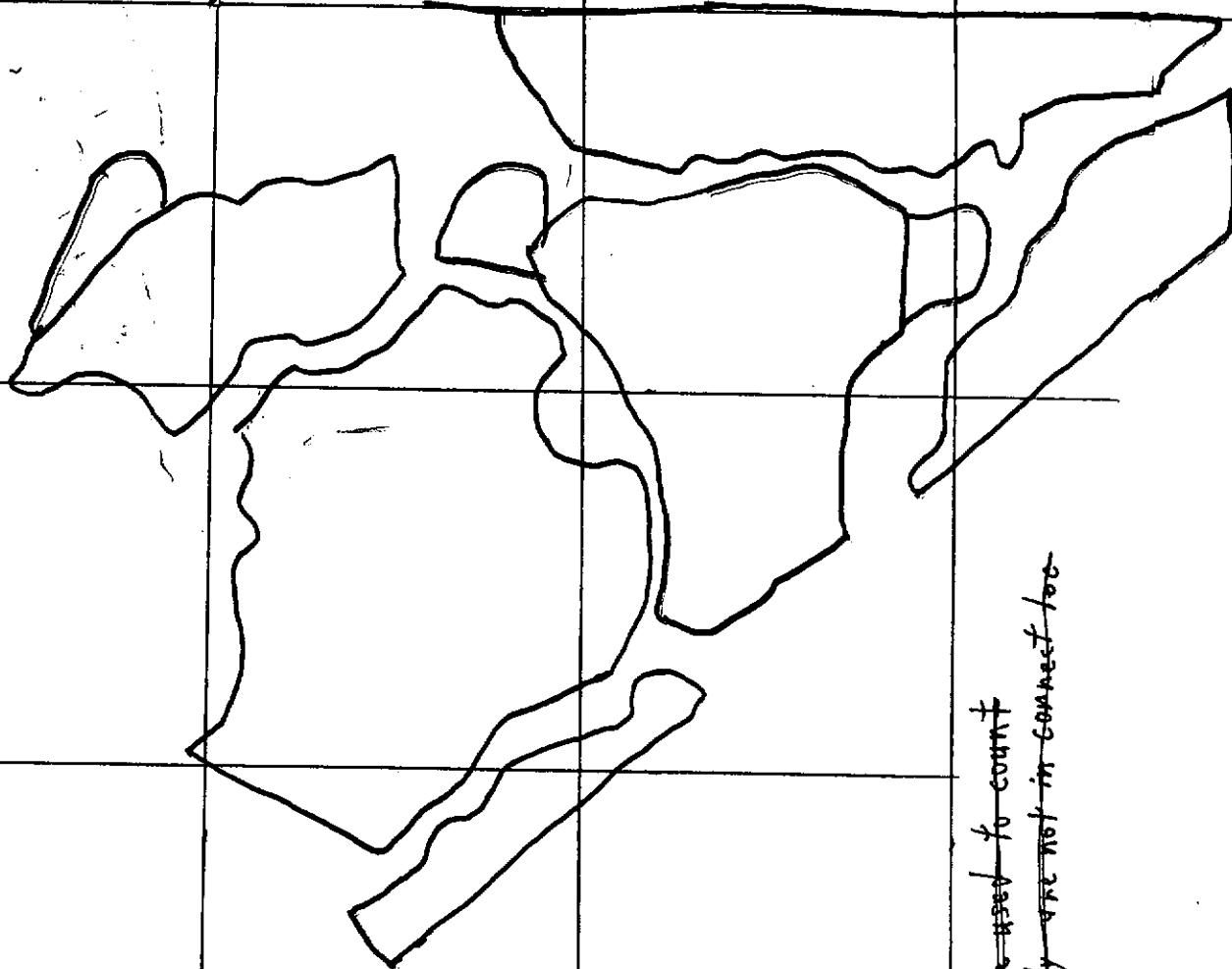
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MICROFILMED
FEB 05 1999

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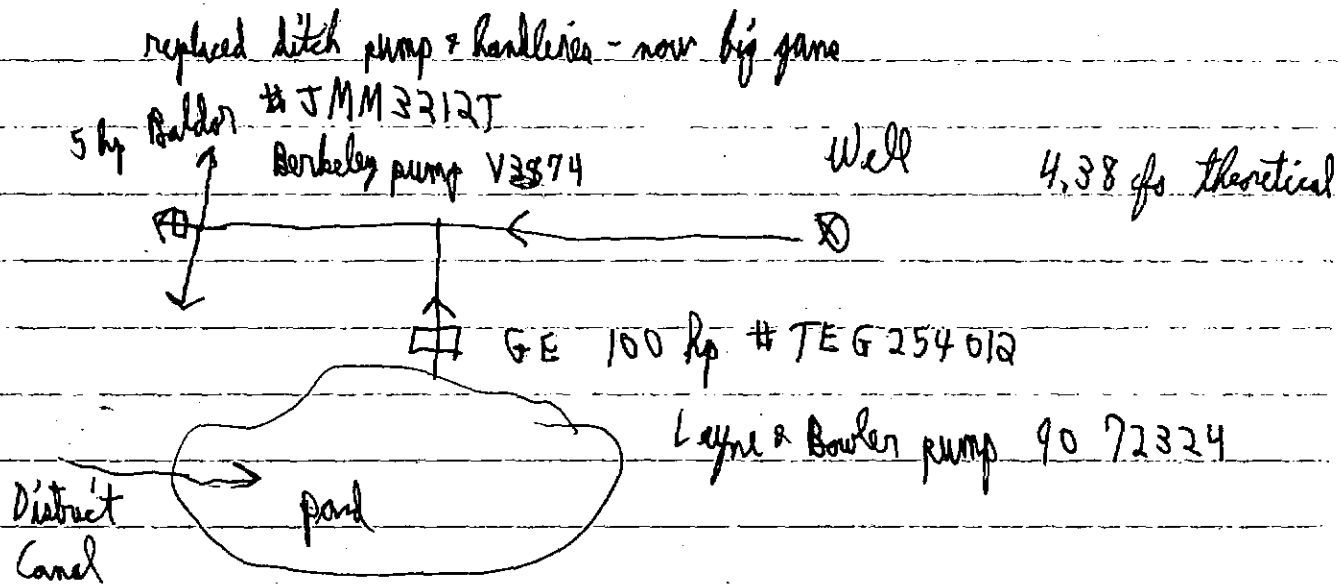
JE Stanton
5-28-97



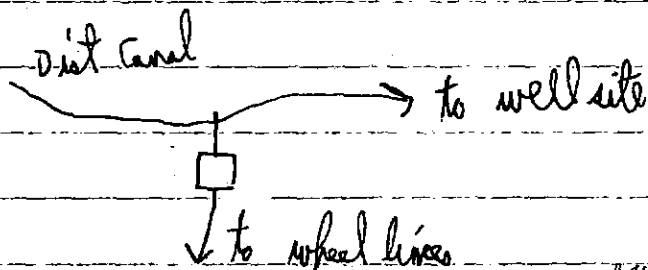
Gerald Pashaw Water System 5-13-97

GE 125 hp motor # NEG 024043 60 psi
Peerless pump F10443

run well or pump at this site but not both. runs 1 large pivot & 1 small one



Ditch pump Baldor 20 hp JPM 2514T
Berkeley pump #M330



MICROFILMED
FEB 05 1999

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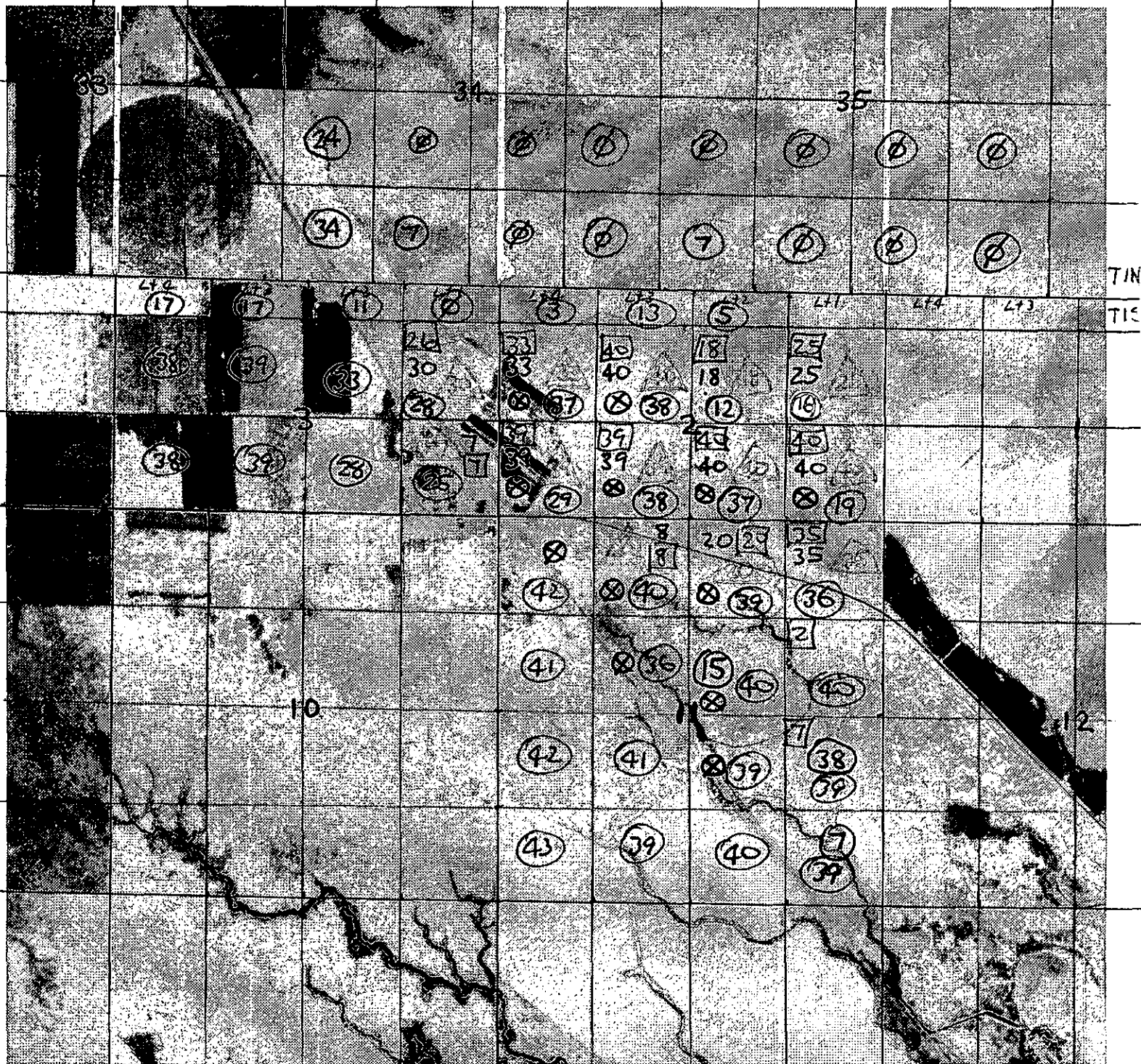
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Expanded.

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FEB 05 1999

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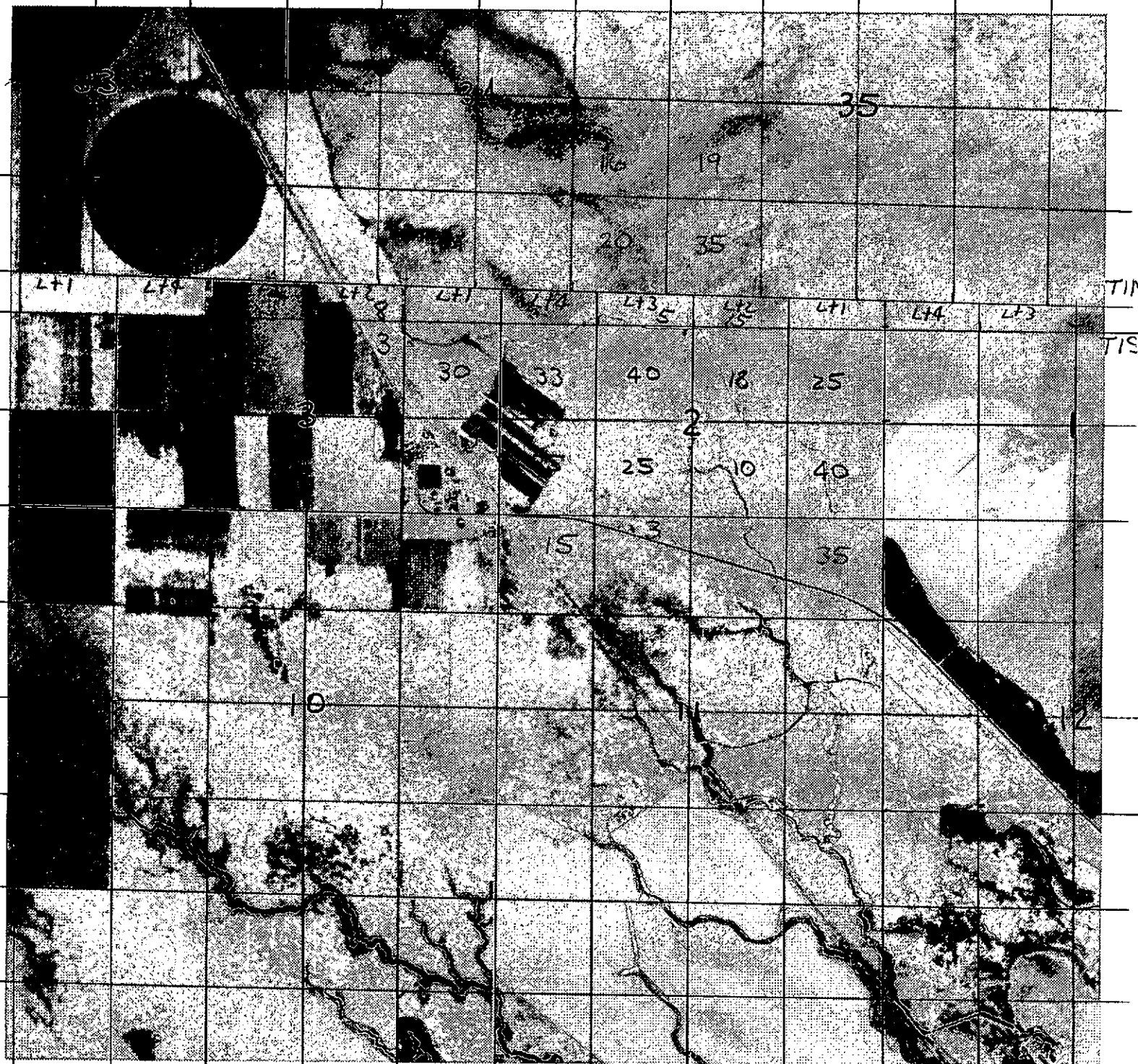


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 FEB 05 1999

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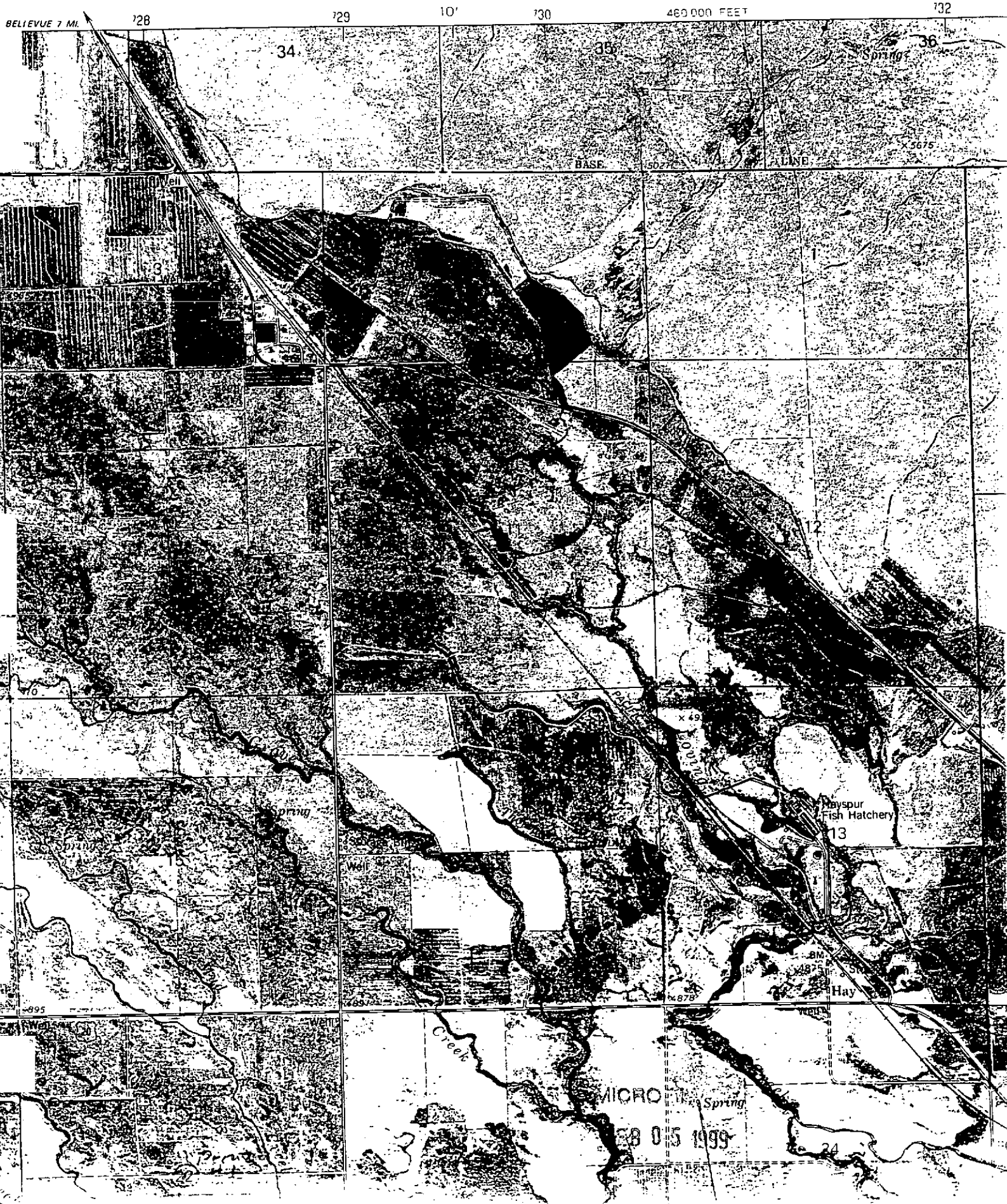
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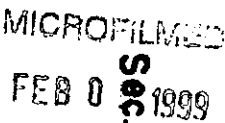
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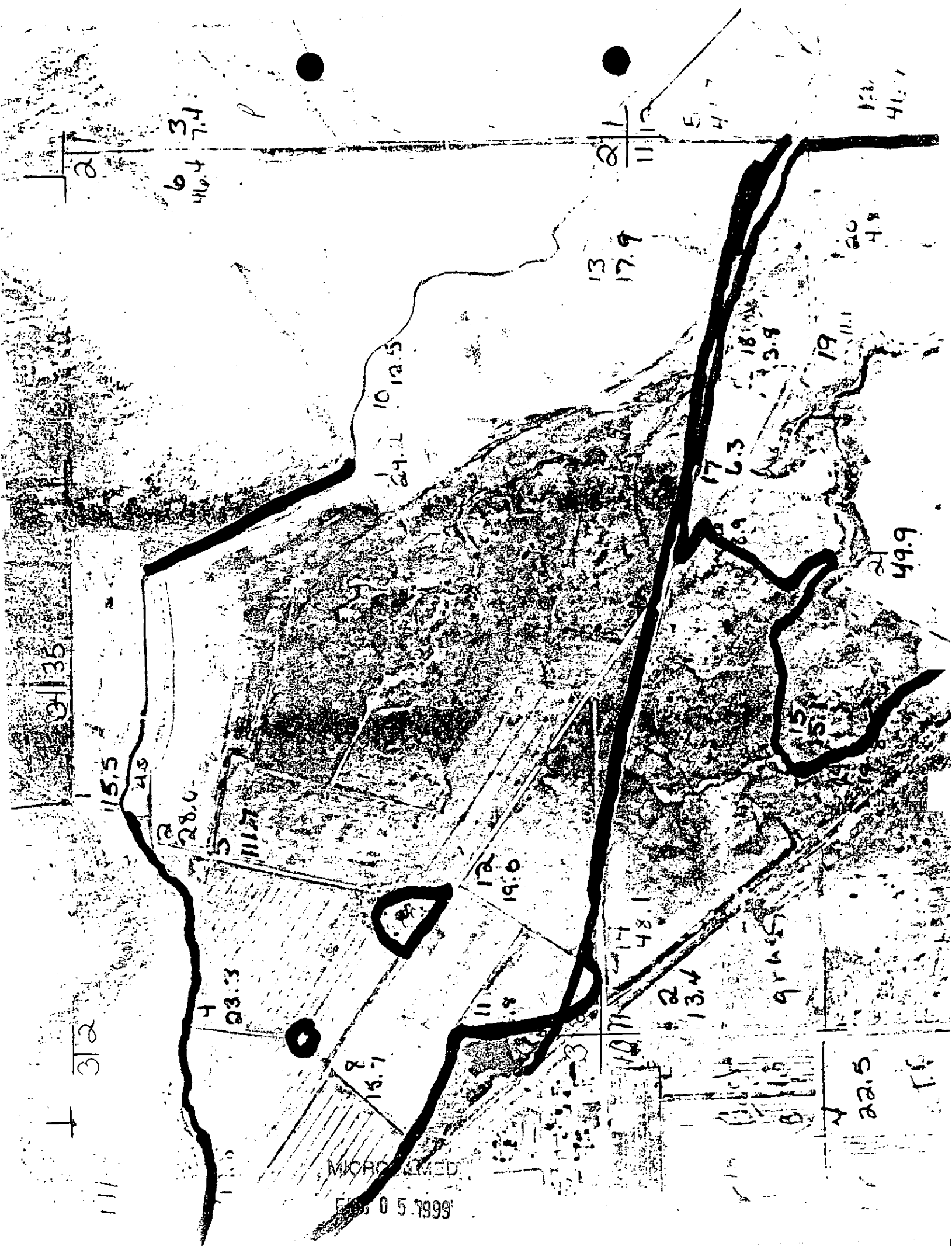
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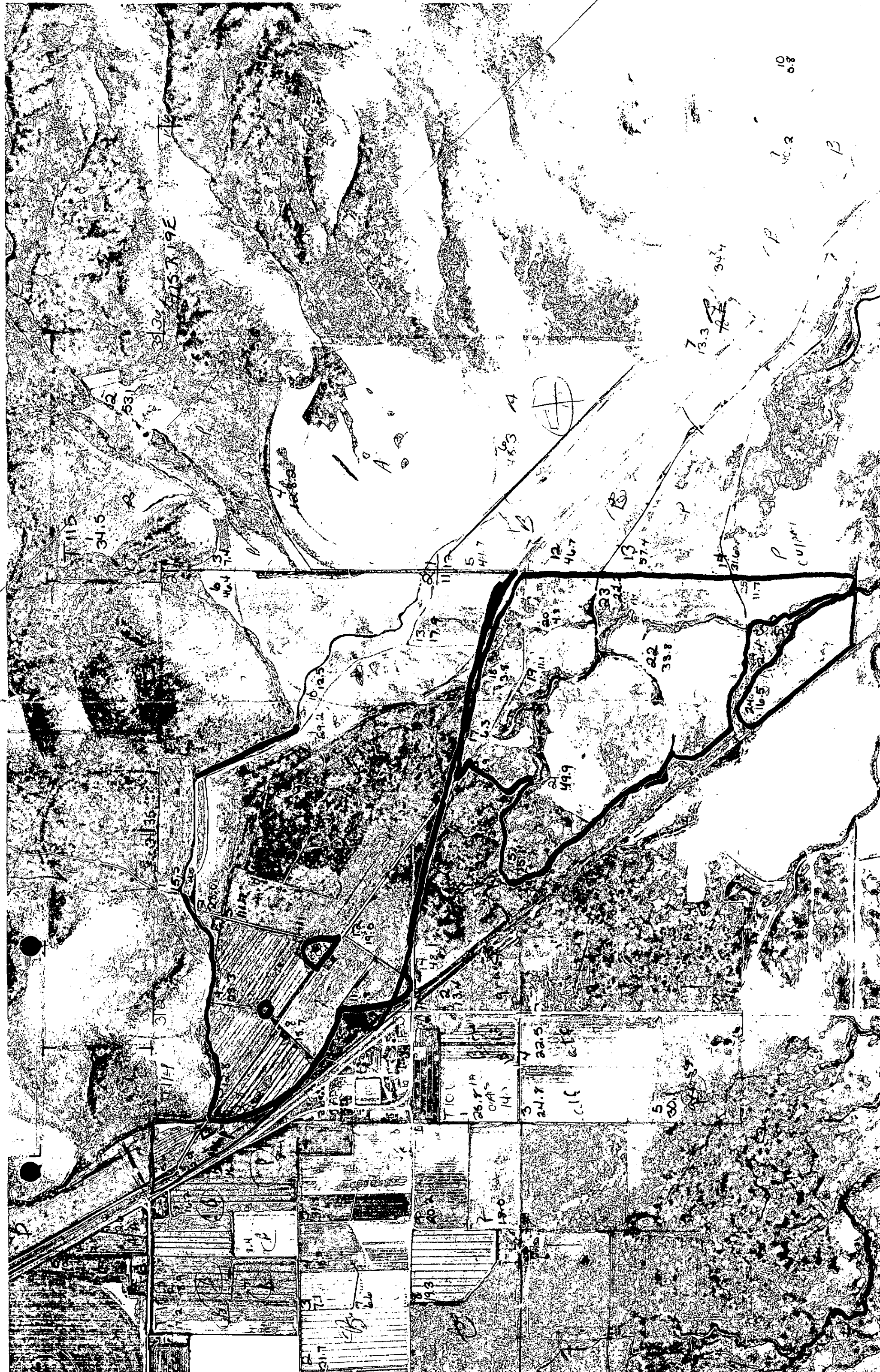


DEPENDENT RESURVEY



FEB 05 1999





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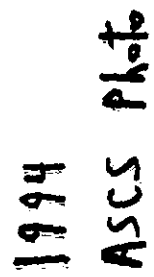
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— Actual 40 lines



JE Stanton

FROM

Steve Chelland

DATE

4/17/97

TO

Jim Stanton

SUBJECT

BAGshaw Trans 4678

I scanned thru these two files and saw nothing that would indicate that SRBA staff has done any preliminary Reviews of the rights. I see by your notes you have indicated SRBA staff will determine the place of use for the Base rights; if that is to be these rights will be held up at least until later this Summer. Previous discussions indicate DWR staff should investigate these rights ASAP.

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FEB 05 1999

Steve Chelland SIGNATURE

INTER-DEPARTMENT MEMO

TO: Jim Stanton

SUBJECT: Trans 4660 & 4678

FROM: Allen Merritt

DATE: _____

I have reviewed the files and make the following recommendations:

- We need to get a better handle on the claimed uses.

I suggest we work with AJ to develop rules irrigated before Bud is swopped around making it harder for SPDA to make determination.

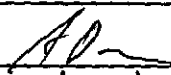
- I think we can get by without mess. diversions (well) if we condition no modification allowed. But still we should document what is existing well now.

() For your information

() Response required

MICROFILMED

FEB 05 1999


signature

INTER-DEPARTMENT MEMO

TO: Jim Strata

SUBJECT: Trans 4660 & 4678

FROM: Alta Mervin

DATE: _____

I have reviewed the files and make the following recommendation:

- We need to get a better handle on the claimed uses.

I suggest we work with AJ to develop rules irrigated before Rnd is swapped around making it harder for SROA to make determination.

- I think we can get by without messy diversions (well) if we condition no modification allowed. But still we should document what is at existing well now.

() For your information

() Response required

Alta Mervin
signature



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

October 20, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

GERALD B &/OR AUDREY BASHAW
195 EAST MORGAN STREET
PERRIS CA 92370

RE: Protested Application for Transfer No. 4678 (37-00125, 37-0577
Part, 37-04142)

Dear Applicants:

We have received a withdrawal of the protest filed by the Idaho Dept. of Fish and Game against approval of the above referenced application.

Since they were the only protestant, the issue of the protest has been resolved and the Department is now prepared to proceed with the normal processing of the application which includes regional review prior to being forwarded to our State Office.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:MB

cc: ATTN Crystal Vincent
Rosholt & Associates
PO Box 1906
Twin Falls ID 83303-1906

MICROFILMED

FEB 05 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

October 20, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

ATTN CARL NELLIS SUPERVISOR
ID DEPT FISH & GAME
PO BOX 428
JEROME ID 83338

RE: Application for Transfer No. 4678 (37-00125, 37-00577 Part,
37-04142-Bashaw)

Dear Mr. Nellis:

This office acknowledges receipt of the withdrawal of your protest
against the above referenced application.

Since you were the only protestant, the issue of the protest has
been resolved and the Department is now prepared to proceed with
the normal processing of the application which includes regional
review prior to being forwarded to our State Office.

The Department will continue review of the application without
further contact with you unless information is requested.

Please feel free to contact this office if you have any questions
regarding this procedure.

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:MB

MICROFILMED

FEB 05 1999



IDAHO FISH & GAME

Magic Valley Region
868 East Main • P.O. Box 428
Jerome, Idaho 83338
(208) 324-4350
Fax (208) 324-1160

Phil Batt / Governor
Jerry M. Conley / Director

October 16, 1995

Mr. Allen Merritt
Southern Region Supervisor
Idaho Dept. of Water Resources
222 Shoshone St. East
Twin Falls, Idaho 83301

RECEIVED
OCT 19 1995
Department of Water Resources
Southern Region

Re: Protest of Water Right Transfer 4678 Gerald Bashaw

Dear Allen,

After meeting on-site with the applicant we have concluded impacts will be minimal to fish and wildlife resources. Therefore, we would like to withdraw our protest at this time.

Once again, thank you for your cooperation in resolving this matter. If you have further questions please contact Dave Parrish, Environmental Staff Biologist at this office.

Sincerely,

Carl H. Nellis
Magic Valley Regional Supervisor

cc: IDFG-Natural Resource Policy Bureau (Robertson)
IDFG-Hayspur
Id. State Attorney General (Just)

MICROFILMED

FEB 05 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

October 4, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

GERALD B &/OR AUDREY BASHAW
195 EAST MORGAN STREET
PERRIS CA 92370

RE: APPLICATION FOR TRANSFER NO. 4678 (37-04142, 37-00125, 37-00577 Part)

Dear Applicants:

Enclosed is a copy of a protest filed against the above referenced application.

The Department suggests you contact the protestant directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:MB
Enclosure(s)
cc: ATTN Crystal Vincent
Rosholt & Associates
P.O. Box 1906
Twin Falls ID 83303-1906

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FEB 05 1999

CONFERENCE AND HEARING PROCEDURE

APPLICATION FOR TRANSFER ISSUES

Section 42-222, Idaho Code, identifies the following potential issues that the department can consider in connection with an application for transfer:

1. Will the proposed transfer injure other water rights?
2. Will the proposed transfer constitute an enlargement in the use of the original right?
3. Is the proposed transfer in the local public interest, where local public interest is defined as the affairs of the people in the area directly affected by the proposed use?
4. Is the proposed use contrary to conservation of water resources within the state of Idaho?

BURDEN OF PROOF

The applicant has the initial burden of proof for issues 1, 2, and 4 above and must provide evidence for the department to evaluate these criteria. The initial burden of proof on issue 3 above lies with both the applicant and protestant as to factors of which they are most knowledgeable and cognizant. The applicant has the ultimate burden of persuasion, however, for this issue.

PROCEDURE

The department generally conducts an informal conference with the parties to determine the issues and to try to settle a protested matter before a hearing is scheduled. If a hearing is held, the department will issue a written decision based on the hearing record.

CONFERENCE

The purpose of a pre-hearing conference is to provide the opportunity for the parties and the department to familiarize themselves with a contested matter and to attempt to resolve the matter. At the conference, the department may also formulate and simplify the issues, identify documents to avoid unnecessary proof, exchange proposed exhibits or prepared testimony, limit witnesses, discuss settlement or make settlement offers, schedule hearings, establish procedure at hearing and address other matters that may expedite orderly conduct and disposition of the proceeding or its settlement. The department may issue a "pre-conference statement order" which requires response to the inquiries.

HEARING

The department will tape record the hearing. Copies of a hearing tape are available upon request and the payment of the cost of reproducing the tape. The hearing likely will be conducted by a hearing officer appointed by the Director rather than by the Director himself. If so, the hearing officer will prepare a recommended order for the Director's consideration. Parties can file exceptions to a recommended order, briefs in support of the exceptions or may request oral argument. Parties may seek judicial review of any final order issued by the Director. Parties may by written stipulation waive the right to a recommended order, particularly when a shortened decision process is desirable or necessary. Such a waiver does not eliminate any rights of the parties in connection with the final order of the Director and judicial review of the order.

EXHIBITS

A party who plans to offer an exhibit as part of the hearing record must provide a copy of the proposed exhibit to the parties and to the hearing officer. As part of the conference a date may be set by which exchange of exhibits and witness lists must occur.

EFFECT OF FAILURE TO APPEAR AT A CONFERENCE OR HEARING

Failure to appear at the time and place set for a conference or hearing by the applicant or protestant(s) may allow the department to dismiss without prejudice the protest(s) or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing party.

AMERICANS WITH DISABILITIES ACT

Any hearing scheduled will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing, please advise the department within (10) days prior to the hearing.

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FEB 05 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

October 3, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

ATTN CARL NELLIS SUPERVISOR
ID DEPT FISH & GAME
PO BOX 428
JEROME ID 83338

RE: APPLICATION FOR TRANSFER NO. 4678 (37-00125, 37-00577 Part,
37-04142-Bashaw)

Dear Protestant(s):

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant with the suggestion that he contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:MB
Enclosure(s)

MICROFILMED

FEB 05 1999



IDAHO FISH & GAME

Magic Valley Region
868 East Main • P.O. Box 428
Jerome, Idaho 83338
(208) 324-4350
Fax (208) 324-1160

Phil Batt / Governor

Jerry M. Conley / Director

September 13, 1995

Mr. Allen Merritt
Southern Region Supervisor
Idaho Dept. of Water Resources
222 Shoshone St. East
Twin Falls, Idaho 83301

RECEIVED
SEP 14 1995
Department of Water Resources
Southern Region

Re: Protest of Water Right Transfer 4678 Loving Creek/Silver Creek (Gerald & Audrey Bashaw)

Dear Allen,

We would like to protest the above referenced application to transfer a water right (#4678) to a point of diversion on Loving Creek, in Blaine County. As we interpret the transfer application, all or portions of claims A37-04142, A37-00125, A37-11556, and decree 37-00125 will be transferred to a diversion point on Loving Creek above Idaho Dept. of Fish and Game's Hayspur Fish Hatchery. Results to our fish production program and existing water rights at that facility could, in our opinion, be negatively impacted as a result of this transfer, and therefore would not be in the public interest.

We are willing to meet on-site with the applicant to clarify our position or discuss potential mitigation associated with the transfer. Please contact Dave Parrish, Environmental Staff Biologist at this office to arrange such an on-site review.

Sincerely,

Carl H. Nellis
Magic Valley Regional Supervisor

cc: IDFG-Natural Resource Policy Bureau (Robertson)
IDFG-Legal
IDFG-Hayspur Hatchery

MICROFILMED

FEB 05 1999

Receipt # 5018481
9/14/95
MB

INTER-DEPARTMENT MEMO

TO: Trans. # 4678

SUBJECT: _____

FROM: Allen MerrittDATE: 8/28/95

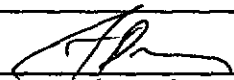
Jim Johnson called and indicated that there is a note in the data base that 37-00125 has not been used for many years. This right may have been abandoned. This should be considered when reviewing the transfer application.

Note WM's
recommendation
???

☐ For your☐ Response required

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FEB 05 1999


signature

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 4678

RECOMMENDATION OF WATERMASTER

RECEIVED

SEP 08 1995

Department of Water Resources
Southern Region

I, Lee R. Peterson, watermaster of Big Wood, Little Wood Rivers & Silver Creek,
of Water District No. 37 & 37M County of Blaine, Gooding & Lincoln, State of Idaho,
whose address is P O Box T, Shoshone, Idaho 83352

have read the attached copy of the application for transfer of water right for _____

Gerald B Bashaw, and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend
that the Director of the Department of Water Resources approve the transfer subject to
the following conditions: Control gates and measurement devices be improved
for accurate means of recording with road right of way for Watermaster
and or Deputy.

OR

B. I do not endorse approval of the above numbered Application for Transfer as re-
quested for the following reasons: _____

Dated at Shoshone, Idaho, this 5th day of Sept. 19 95.


(signature)

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FEB 05 1999

Please use reverse side if needed.

RECEIVED

SEP 07 1995

Department of Water Resources
Southern Region

AFFIDAVIT of PUBLICATION

State of Idaho,

County of Blaine

} SS.

On this 6 day of Sept., in the year 1995, before me a Notary Public of said State, personally appeared **DANIEL J. GORHAM**, known or identified to me to be the person whose name is subscribed to be the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same. As the publisher of the Wood River Journal, he/she attests that said newspaper has been continuously and and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 30 day of Aug., 1995, and the date of the last publication was on the 6 day of Sept., 1995.

Daniel J. Gorham

Subscribed and sworn to before me this 6th day of Sept., 1995.
(SEAL)

Roberta Ann Kercher

NOTARY PUBLIC

9751

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line	<u>11.5</u>	
Number of Lines in Notice	<u>139.100</u>	
Number of Insertions	<u>2</u>	
Lines tabular at		6¢ / Pica
<u>139.100</u>	Lines straight at	<u>79.983</u> 5¢ / Pica
<u>139.100</u>	Subsequent lines at	<u>63.986</u> 4¢ / Pica
TOTAL COST	<u>+5</u>	<u>\$148.97</u>

MICROFILMED
FEB 05 1999

COPY OF NOTICE

(Paste Here)

Prop. ch. water right
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

ID Dept. Water Res.
BILL TO

Proposed Change of Water Rights

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS
Notice is hereby given that GERALD B. AND/OR AUDREY BASIAW, 195 EAST MORGAN ST., PERRIS CA 92370 have applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of IDAHO CODE and further described as Transfer No. 4678.

The purpose of this application is to change the Point of Diversion, change the place of use and create a permissible place with a companion transfer application (Transfer No. 4660/37-04141) involving a groundwater right.

WATER RIGHTS AS RECORDED:

Water Right No. 37-00125

Basis: Decreed to J.E. and Charlotte Calhoun in case of S.C. Frost et al vs Alturas Water Company et al dated 12/13/1909 in B Fourth District Court, Lincoln County.

Date of Priority: 4/1/1884

Amount: 0.20 cfs

Source: Silver Creek tributary to Little Wood River

Use: irrigation

Point of Diversion: Headgate #13, Stanfield Ditch.

Place of Use: 60 acres within SE1/4NE1/4, E1/2SE1/4, S11, T1S, R19E.

Water Right No. 37-00577BA, Transfer No. 45

Basis: Decreed to Wood River Land Company in case of Albretsen vs Wood River Land Company dated 6/27/1925 in Fourth District Court, Blaine County.

Date of Priority: 3/24/1883

Amount: 12.516 cfs

Source: Big Wood River tributary to Malad River

Point of Diversion:
SW1/4NW1/4, S20, T3N, R18E
(District Canal #45); Blaine
County.

Place of Use: Unstated acres
irrigable from District Canal.

Water Right No. A37-04142

Basis: Beneficial Use

Date of Priority: 4/30/1931

Use:

irrigation 4.6 cfs (4/30-10/31)

stockwater 0.12 cfs (1/1-12/31)

Total amount of water: 4.72 cfs

Source: Wastewater tributary to
Loving Creek

Point of Diversion: SW1/4NE1/4,
S3, T1S, R19E (Loving Creek
#12-A); Blaine County.

Place of Use: 374 acres within
S1/2, S2; E1/2SE1/4, S3;
N1/2NE1/4, NE1/4NW1/4, S11,
T1S, R19E.

Claims have been filed in the
Snake River Basin Adjudication.

CHANGES AS FOLLOWS:

All of Water Right No. 37-00125
(0.20 cfs), a portion of Water
Right No. 37-00577BA (0.69 cfs)
and all of Water Right No. A37-

04142 (4.72 cfs) will be
transferred. No change in Point
of Diversion for 37-04142 and
37-00577 Part but a new point of
diversion for 37-00125 within
SW1/4SE1/4, S2, T1S, R19E
(Loving #12-P Pump). Irrigation
of 434 acres and stockwater use
are located within E1/2SE1/4,
S34; W1/2SW1/4, S35, T1N,
R19E. Also used within Lot 2
(SW1/4NE1/4), Lot 3
(SE1/4NW1/4), SW1/4, SE1/4,
S2; Lot 2 (SW1/4NE1/4),
N1/2SE1/4, SE1/4SE1/4, S3;
NE1/4NE1/4, N1/2NW1/4, S11,
all T1S, R19E.

Water Right No. 37-04141 (4.12
cfs) from a groundwater source
will also be used on the same
place of use.

Any protest against approval of
the proposed change of water
right application must be filed
with the Department of Water
Resources, Southern Region,
222 Shoshone Street East, Twin
Falls, ID 83301 together with a
protest fee of \$25.00 on or
before September 18, 1995. The
protestant must also send a copy
of the protest to the applicant.
Karl J. Dreher, Director.

Published in the Wood River
Journal on 8/30 & 9/6/95.

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Date of Priority: 3/24/1883

Amount: 12.516 cfs

Source: Big Wood River tributary to Malad River

Use: irrigation 4/15-10/15

Point of Diversion: SW1/4NW1/4, S20, T3N, R18E (District Canal #45); Blaine County.

Place of Use: Unstated acres irrigable from District Canal.

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Basis: Beneficial Use

Date of Priority: 4/30/1931

Use:

irrigation 4.6 cfs (4/30-10/31)

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Karl J. Dreher, Director

Published in the Wood River Journal on 8/30 & 9/6/95.

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FEB 05 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

August 22, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

WOOD RIVER JOURNAL
PO BOX 988
HAILEY ID 83333

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

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FEB 05 1999

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Amount: 12.516 cfs

Source: Big Wood River tributary to Malad River

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stockwater 0.12 cfs (1/1-12/31)

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Karl J. Dreher, Director

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State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

August 18, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

ATTN CRYSTAL VINCENT
ROSHOLT & ASSOCIATES
PO BOX 1906
TWIN FALLS ID 83303-1906

Re: (3) Applications for Transfer/Bashaw-Nos. 4659, 4660, 4678
(A37-11560), (A37-04141), (37-00125, 37-00577BA, 37-04142)
respectively

Dear Mrs. Vincent:

The Department of Water Resources acknowledges receipt of the Applications for Transfer filed on behalf of Gerald &/or Audrey Bashaw.

This office has scheduled advertising the applications in the Wood River Journal for 8/30 and 9/6/95. The advertisements will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If an application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

The department's review process may have to include field investigation and verification of the claims which is required as part of the Snake River Basin Adjudication.

State Office personnel will conduct a complete review prior to final processing of an application and will notify you of the outcome of this review.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

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FEB 05 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033

Fax (208) 736-3037

August 18, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

LEE PETERSON WATERMASTER
WATER DISTRICT #37
PO BOX T
SHOSHONE ID 83352

Re: Application for Transfer of Water Right Nos. 37-00125, 37-00577
Part, 37-04142 (T# 4678, Bashaw)

Dear Mr. Peterson:

Enclosed is a copy of an Application for Transfer of a Water Right within your District, and Watermaster's Recommendation Form.

Section 42-222 of the IDAHO CODE requires that the watermaster must be advised of proposed changes in water rights in the water district and must notify the Department of his recommendation on the application.

Please complete the enclosed recommendation form and return it to this office.

Processing of the application can be completed in 20 days, therefore, your prompt response to this request will be appreciated.

If you have any questions about the application, please contact this office or the applicant.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

Enclosures

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FEB 05 1999

ROSHOLT, ROBERTSON & TUCKER

Chartered
ATTORNEYS AT LAW

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
GARY L. QUIGLEY
JOHN K. SIMPSON
PATRICK D. MADIGAN
PAUL W. SAMUELSON
TIMOTHY J. STOVER
NORMAN M. SEMANKO
ERIK P. SMITH

Twin Falls Office
142 3rd Ave. North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

Boise Office
1221 WEST IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

DATE:

3-31-95

RECEIVED

TO:

Jim Stanton

MAR 31 1995

FROM:

Crystal Vincent

Department of Water Resources
Southern Region

RE:

G. Busham

NUMBER OF PAGES INCLUDING THIS ONE:

3

IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL US BACK AS
SOON AS POSSIBLE AT (208) 734-0700.

THE INFORMATION CONTAINED IN THIS FACSIMILE COMMUNICATION IS ATTORNEY/CLIENT
PRIVILEGED AND/OR CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE
INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS COVER PAGE IS NOT THE
INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE
INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION
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PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY
CALL AT (208) 734-0700, AND RETURN THIS FACSIMILE TO US BY MAIL AT THE ABOVE ADDRESS.
WE APPRECIATE YOUR COOPERATION.

ADDITIONAL MESSAGE:

No. 4 = POD's

Lee Peterson called with new name for pump
in pond SWSE 52. - Loving 12 P -

MICROFILMED

FEB 05 1999

T# 4678

RECEIVED

Form 222
1-87

Page 1 of 14

STATE OF IDAHO

MAR 23 1995

Transfer No.

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant GERALD B. AND/OR AUDREY BASHAW Phone 714-943-4014Post Office address 195 EAST MORGAN STREET PERRIS CA 92370

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes CONSERVATION EASEMENT GRANTED ON LANDS; NO IRRIGATION.
MOVING WATER TO OTHER FARMED ACRES REPRESENTING PERMISSIBLE PLACE OF USE.

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>37-04142</u>	<u>04/30/1931</u>	<u>4.600 CFS</u>	<u>IRRIGATION</u>	<u>04/15</u> to <u>10/15</u>
		<u>0.120 CFS</u>	<u>STOCKWATER</u>	<u>01/01</u> to <u>12/31</u>
<u>37-00125</u>	<u>04/01/1884</u>	<u>0.200 CFS</u>	<u>IRRIGATION</u>	<u>04/15</u> to <u>10/15</u>
<u>37-00577</u>	<u>03/24/1883</u>	<u>0.690 CFS</u>	<u>IRRIGATION</u>	<u>04/15</u> to <u>10/15</u>

2. Total amount of water being transferred 5.61 cubic feet per second and/or _____ acre-feet per annum.3. Source of water BIG WOOD RIVER tributary to MALAD RIVER4. Point(s) of Diversion: SILVER CREEK LITTLE WOOD RIVER

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NE	03	01S	19E	BLAINE	LOVING CREEK #12A & #12B
		SW	SE	02	01S	19E	BLAINE	POND/PUMP WITH METER (Loving 12 P)
		SW	NW	36	02N	18E	BLAINE	HEADGATE 45 & DISTRICT CANAL

5. Lands irrigated or place of use: PERMISSIBLE PLACE OF USE WITH 37-04141; 37-00125; 37-04142; 37-00577

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	
01N	19E	34													16			20	36
		35										19	35						54
01S	19E	02			15				5	40	33	35	25	25	18	10	40		246
		03			8									30	3		4		45
		11	35				3	15											53

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FEB 05 1999