



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 6, 2003

LYDIA LYNCH
AKA MAGNOLIA LLC OR JGZ SUBDIVISION
9531 S 400 W
REXBURG ID 83440

Re: Adjudication claim for a water right no. 25-12207 and change of ownership.

Dear Ms Lynch,

A recent review of your file for the above referenced adjudication claim indicates lack of evidence to support a recommendation of the irrigation portion of the water right in the Snake River Basin Adjudication (SRBA). By lack of evidence, it is meant that some form of evidence would be required to show that the groundwater development for irrigation occurred prior to March 25, 1963.

As an alternative, it may be possible to obtain a water right for irrigation by filing an application for permit with proof that the appropriation of ground water was made prior to November 19, 1987. The department has allowed pre-1987 development to be filed with the condition that it will be assigned a priority date coincident to the date for which the application is filed. For your convenience, I have included a copy of an application form along with instructions. The fee for making the application is \$100.

Failure to provide the required evidence on the adjudication claim will result in a recommendation for the SRBA court that will NOT include the irrigation portion of your claim. It will only include the domestic portion. However, if you should choose, the application for permit, barring protest, may prove successful for obtaining the water right for irrigation.

A second matter, the original claim for a water right was made in the name of Pete and Darlene Madsen. If this property is now owned by you, an LLC, or other entity, it required that a change of ownership to this claim to a water right be processed. Since the claim is undergoing SRBA review, THERE IS NO COST to process the form. We only ask that you provide a copy of the appropriate documentation that was used for the property transaction (i.e. warranty deed, bill of sale, etc.).

If **you** require any assistance, have any further questions in this regard or would like to **discuss**, please feel free to call me at 525-7161. I would be more than happy to assist you.

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Roger Warner". The signature is fluid and cursive, with the first name "W." and last name "Warner" clearly distinguishable.

W. Roger Warner

Water Right Supervisor – Eastern Region

Enclosure: forms for application for permit
Change of ownership form