



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 27, 2002

Willard J and Elizabeth J Cheirrett
1998 Ivins Road
Bancroft, ID 83217

REF: Snake River Basin Adjudication
Claim A29-556

Subject: Changes in your water right after the Bancroft-Lund Decree

Response Date: April 22, 2002

Dear Claimants,

The claim listed above was adjudicated in the Bancroft-Lund Decree in the District Court of the Sixth Judicial District of the State of Idaho in and for the Country of Caribou, civil case number 2919 on July 28, 1992.

IDWR's initial investigation of the Notice of Claim listed above indicates some changes from the Bancroft-Lund Decree. Changes noted in the SRBA from the Bancroft-Lund adjudication are: the point of diversion, nature of use, period of use, and place of use.

Changes made to a water right after November 19, 1987 falls under **Idaho Code 42-222** and requires that an application for transfer be filed with the department. According to the Idaho code "a change in point of diversion, place of use, period of use or nature of use of all or part of the water, under the right shall first make application to the department of water resources for approval of such change. Such application shall be upon forms furnished by the department and shall describe the right decreed which is to be changed and the changes which are proposed, and shall be accompanied by the proper statutory filing fee."

The above Notice of Claim will be recommended as decree in the Bancroft-Lund adjudication and an application to transfer must be filed with the department after a decree has been issued to correct the changes. Has the number of irrigated acres been reduced from the previous adjudication? The previous adjudication decreed 395 acres and your Notice of Claim was filed for 384 acres.

This office must receive your response by the response date shown above. If you have any additional questions please feel free to contact me at 547-3993 in Soda Springs.

Sincerely,

**Cindy E. Bird
Adjudication Bureau**