



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

April 1, 2010

MORGAN PLANT
2598 E OMERA ST
MERIDIAN ID 83646

RE: USE OF WATER RIGHTS 63-4706 and 63-10960

Dear Mr. Plant:

As you requested when we spoke earlier today, I am writing a letter to describe what can be done regarding water rights from the well in your subdivision. There are two irrigation water rights appurtenant to the properties from this well, 63-4706 and 63-10690. 63-4706 is for 1 cfs of ground water for the irrigation of 100 acres. 63-10690 is for 1.08 cfs of ground water for the irrigation of the same 100 acres. Both rights, when combined, can not divert more than 2.0 cfs with a total combined annual diversion volume of 450 acre-feet (AF). Additionally, the rights can not be used in excess of 0.02 cfs or 4.5 AF per acre. There are other conditions on the water rights but I think this adequately summarizes the important points.

The rights are currently in the names of Tom and/or Sue Davis. I understand the Davises have sold all the property in question and it is almost wholly subdivided. The purpose of your call today was to determine if you and your fellow property owners can use the well to irrigate your properties.

Both rights are considered active and are to be used for irrigation of the ground listed on the rights. However, I highly suggest filing a change of ownership with IDWR so our records correctly reflect ownership. You and your fellow property owners are still bound by the information contained in the water rights unless you have or will alter your use in some way. If changes have been or will be made to the water use, I highly recommend filing an application for transfer to IDWR's records will correctly reflect the water use. Often with these water rights where the right was previously for farm ground and is now for irrigation in a subdivision, we see forfeiture of some of the irrigated acres, obviously because of the presence of houses, but that does not change the nature of the right. For more information, see Sections 42-222 and 42-223, Idaho Code.

Please feel free to call me at (208) 287-4907 with any questions.

Sincerely,

Monica Van Bussum
Sr. Water Resource Agent