



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

May 12, 2021

GORDON THERON COLUCCI
MARIAN COLUCCI
2370 OLD ARBON VALLEY RD
POCATELLO ID 83204-7528

RE: Notice of Change in Water Right Ownership Water Right No. 29-4326

Dear Interested Party:

On August 03, 2020, the Department of Water Resources received a request for a change of ownership for a portion of water rights 29-4326. The water right was split into 29-14371 and gave you two acres of irrigation from water right 29-4326. Copies of the split were sent to the current owners of 29-4326.

The Department received phone calls from two of the current owners of water right 29-4326 questioning the split. The Department's legal staff looked into the ownership update and found it was done in error.

Water right 29-4326 was decreed to Deanna Walters in March of 2004. It appears the water right included land owned by you. However, since a claim was not filed by you for a portion of water right 29-4326, nor did you object to the ownership of the Department's recommendation, the Department considers any subsequent court confirming the right to be a determination of ownership of the water right. Which means, the current owners of the water right would have to quitclaim you a portion of the water right.

The Department is returning your request and refunding your filing fee. Your filing fee will be sent to you under separate cover from the Idaho State Controller's Office within 10 days. If you do not agree with the conclusion of the Department's review, you may settle the dispute over ownership of a water right in court.

If you have any questions regarding this letter, please contact me at 208-287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure

c: Lou Bevan, John Bevan, Steve Bevan & Judy Cossaboom

MEMORANDUM

TO: Sascha Marston
FROM: Jean Hersley
DATE: May 12, 2021
RE: **Refund: Ownership changed returned**

Please refund \$100.

NAME: GORDON T COLUCCI
2370 OLD ARBON VALLEY RD
POCATELLO ID 83204-7528

RECEIPT #: C109166

Thank you.

Jean

Hersley, Jean

From: Hersley, Jean
Sent: Wednesday, May 12, 2021 10:09 AM
To: IdwrPayable
Subject: refund
Attachments: Colucci-oc returned.doc

Please process the attached refund within 10 days. Thank you.

Jean