

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
2735 Airport Way
Boise, Idaho 83705-5082

Return Service Requested

STEVE DUTOIT
JOHN DRAKE
PO BOX 369
HORSESHOE BEND, ID 83629-0369

PRESORTED
FIRST CLASS



U.S. POSTAGE >> PITNEY BOWES
ZIP 83702 \$ 000.38⁹
02 4W
0000359173 OCT 05 2020

RECEIVED

OCT 13 2020

WATER RESOURCES
WESTERN REGION

NIXIE 841 FE 1300 0010/08/20

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 83705508235 *2389-01385-08-23



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State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: www.idwr.idaho.gov

RECEIVED

OCT 13 2020

WATER RESOURCES
WESTERN REGION

Brad Little
Governor

Gary Spackman
Director

October 02, 2020

FILLIPE SOUTHERLAND
2729 N HAVEN DR
EAGLE ID 83616-2331

Re: Change in Water Right Ownership: 65-13739 (split into 65-23966), 65-13740

Dear Water Right Holder:

The Department of Water Resources (Western) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water rights to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

The Department found that water right no. **65-13740** did not need to be split, and has been changed to your ownership in its entirety. Because the fee for an undivided change in ownership is \$25, a refund of \$75 has been requested for water right no. 65-13740 and will be mailed to Fillipe Southerland under separate cover from the Idaho State Controller's Office.

Your portion of each water right has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact our office at (208) 334-2190.

Sincerely,

SUPPORT DATA

Lynne Evans
Office Specialist II

IN FILE # 65-13739

c: STEVE DUTOIT, JOHN DRAKE

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 65-13739

10/2/2020

Owner Type **Name and Address**
 Current Owner STEVE DUTOIT
 PO BOX 369
 HORSESHOE BEND, ID 83629-0369
 (208) 793-4300

Current Owner JOHN DRAKE
 PO BOX 369
 HORSESHOE BEND, ID 83629-0369
 (208) 793-4300

Priority Date: 7/29/1997

Basis: License

Status: Active

Source
 JACKASS CREEK

Tributary
 PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	10/31	0.040 CFS	
	<u>Total Diversion</u>		0.040 CFS	

Source and Point(s) of Diversion

JACKASS CREEK SWNW Sec. 24, Twp 07N, Rge 02E, BOISE County

Place Of Use

IRRIGATION within BOISE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	02E	24							1.2										1.2

POU Total Acres: 1.2

Conditions of Approval:

1. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65.
2. R43 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(s).
3. When water is not available to fill this right, the right holder shall cease diversion or shall rent water from the Payette River Rental Pool.
4. R69 This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
5. 103 When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right.

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 65-13739

10/2/2020

Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

Dates and Other Information

Licensed Date: 10/7/2015
Owner Name Connector: AND
Water District Number: 65
Generic Max Rate Per Acre: 0.030
Generic Max Volume Per Acre: 4.5
Mitigation Plan: False

Combined Use Limits

N/A

Verification Log

SubCase:

N/A

Water Supply Bank:

N/A