



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858
Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

June 29, 2020

THE NATURE CONSERVANCY
116 N 1ST AVE
HAILEY ID 83333-8411

Re: Change in Water Right Ownership: 37-734 (Split into 37-734 and 37-23239), 37-754 (Split into 37-754 and 37-23241), 37-12022 (Split into 37-12022 and 37-23243), 37-12021 (Split into 37-12021 and 37-23242), 37-736 (Split into 37-736 and 37-23240), 37-12023 (Split into 37-12023 and 37-23244); ownership change with no split for 37-2195.

Dear Water Right Holder(s):

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

Your portion of each water right(s) 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.

Additionally, while processing the Notice of Change in Water Right Ownership, it was discovered that right 37-2740 is appurtenant to a portion of the property conveyed in the ownership change, but was not included in the Notice. Normally, when a change of ownership occurs, and the deed is either silent on water rights, or has language such as "...with appurtenances", water rights appurtenant to the property covered by the deed are conveyed to the new owner. Water right 37-2740 is in the name of P & C Irrigation Association, Inc., so it may be possible that the right has special circumstances that the Department is not aware of. It may be beneficial for The Nature Conservancy to reach out to the current owners of right 37-2740 in order to clarify the status of that right. The address we have on record for P & C Irrigation Association is: 080 Laidlaw Park Road, Carey, ID 83320. The phone number is 208-539-4122.

If you have any questions concerning the enclosed information, please contact me at (208) 293-9909.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Bitzenburg", with a stylized, looping flourish at the end.

Jim Bitzenburg
Senior Water Resource Agent

Enclosure(s)

CC: W D Pardue; WD-37U; P & C Irrigation Assn., Inc.