



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 9, 2015

KIMBERLY S FISTER
AARON C FISTER
106 EARLY BREAKFAST CREEK RD
SANDPOINT ID 83864-5251

RE: Water Right Permit No. 96-9470

RE: Proof of Beneficial Use Due & Possible Change in Water Right Ownership

Dear Property Owner(s):

The Department of Water Resources (Department) has reason to believe you may be the owner of all or part of the property associated with water right permit 96-9470 (permit). The permit authorizes a total diversion rate of 0.15 cubic feet per second of ground water from a well for domestic use for 1 home in Section 13, Township 58N, Range 1E, B.M., Bonner County.

According to Department records, the current permit holder is Kimberly Moore. A condition of the permit requires the permit holder to submit a proof of beneficial use statement to the Department on or before **December 1, 2015**. The Department notified Kimberly Moore by certified mail to 9425 Riverside DR #226 Sandy, UT 84070. The correspondence was returned to our office marked "Not Deliverable as Addressed" by the US Postal Service.

If the required proof statement is not submitted on time, the permit will lapse, and authorization to divert water for the permitted use will end. You are being notified in case you have an interest in the permit and want to submit the proof statement.

Water right permits are personal property. Permits are normally conveyed from one owner to another by assignment. Assignments may be on forms created specifically for that purpose, or they may be included in the conveyance documents for the land where the water is to be used. If the permit was assigned to you, please submit the documentation and the \$25.00 filing fee to IDWR.

If the permit has not been assigned to you, and you believe the permit holder no longer has an interest in the permit, you have some options for submitting the required proof statement to prevent the permit from lapsing. The **first option** is to seek an assignment of the permit from Kimberly Moore to you. I have enclosed an *Assignment of Permit* form for your convenience. The completed form should be submitted to the Department along with the \$25.00 fee in order to update ownership of the permit in Department records.

If you cannot obtain an assignment and still believe the permit holder may not intend to submit the proof statement, the **second option** is to submit the following to IDWR:

- A completed *Notice of Change in Water Right Ownership* (ownership change notice).
- Conveyance documents for the land where the water is used.
- The appropriate filing fee, as indicated on the notice.
- Evidence you attempted to contact the permit holder of record. For example, attach a copy of the letter you wrote to the permit holder seeking an assignment of the permit.

IDWR cannot process the notice until the water use is confirmed and the permit is licensed, which makes the water right real property appurtenant to the land. Until the license is issued, IDWR will hold an acceptable ownership change notice in the water right file for reference and will identify you as a contact for the permit in the water right database.

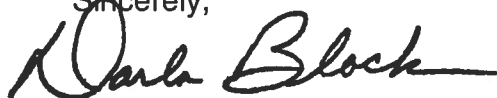
Along with the assignment or ownership change notice, you may submit either a *Statement of Completion for Submitting Proof Beneficial Use* or a *Request for Extension of Time* form to meet the requirements of the permit.

For your reference I am enclosing a copy of this permit, a map representing the permit place of use, and a copy of returned correspondence sent to the current permit holder. **Proof of beneficial use is due December 01, 2015.** This permit will lapse if no further action is taken and authorization to divert water for the uses described above will end.

All forms and instructions referenced in this letter can be found on IDWR's website at <http://idwr.idaho.gov/RulesStatutesForms/WaterRights/WaterRightForms.htm> .

If you have any questions, please contact me at (208) 287-4945.

Sincerely,

A handwritten signature in black ink that reads "Darla Block". The signature is fluid and cursive, with the first name "Darla" and last name "Block" clearly distinguishable.

Darla Block
Technical Records Specialist

Enclosure(s)