

From: Skaggs, Pam
Sent: Monday, September 08, 2014 12:22 PM
To: 'D. Blair Clark'
Cc: 'Carrie Marek'; 'Jim and Carrie Marek'
Subject: RE: Water Right 79-14108 & Ownership

Mr. Clark,

Your email will be added to the water right file for reference. It is important to note that the Department does not have the authority to change the legal ownership of a water right, only the authority to record a change in ownership that has already occurred through proper conveyance. Disputes of legal ownership must be resolved in court as you noted. Then the Department should be notified of the outcome through a Notice of Change of Water Right Ownership form if there is a change.

My references to property owners was from Idaho County tax lot information that appears to have been updated 06/19/2014. This information lists the Jack Marek Estate and Peggy Marek as current owner of the parcel across the road from the well. My only interest was to identify the location of the domestic use listed on Right 79-14108. Since it appears that the domestic use under this right is located on the "Marek" property, assignment of the entire right to Troche was in error. I have notified the Troches that the right must be split to correctly reflect their ownership of the stockwater use. In the meantime, the right has been set back to the prior ownership listed on the Snake River Basin Adjudication (SRBA) partial decree, Peggy J. Marek.

All the documentation related to this right is available on our public website found at <http://www.idwr.idaho.gov/>. There is a quick link flag on the right sidebar of the homepage labeled Search Water Rights that will take you to our search tool (see below). Select "Search for a specific Basin, Right or Transfer number", check the "Claim/Water Right/Basin" box, enter the water right number as shown below, click on the Save the Search Parameter button and then the Start Search button. The results will appear at the bottom of the page. You will find the scanned documents under the More Options link in blue at the left of the results data. SRBA records from claim to more recent ownership change correspondence is available for your review. If you have any questions or problems accessing the records please let me know.

Pam

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