



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

July 7, 2014

C.L. "BUTCH" OTTER
Governor

Merrill & Merrill Chartered
PO Box 991
Pocatello ID 83204

GARY SPACKMAN
Director

RE: Change in Ownership Water Right No. [35-7891](#), [35-7208](#), [35-7836](#) and [35-7719](#).

Dear [Sir/Madam](#):

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership.

Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

35-7891, is currently in the name of Knudsen Poor Farms Inc, Driscoll Brothers has submitted an ownership change, however the ownership change was never complete due to deficiencies. The ownership change submitted on November 13, 2013 has the same deficiency. The water right appears to require a split. I have attached a copy of the deficiency letter previously sent to Driscoll Bros along with a map showing the place of use of the water right. Please review the information and let me know how to proceed. Please note if a split is required an additional fee will be required as well. Also if you believe the water right should not require a split additional evidence of ownership will be required.

35-7208, is currently in the name of Driscoll Brothers however the water right appears to cover some property owned by Dennis Bauer in the NWNW Section 30, Township 7 South Range 30 East. Mr. Bauer appears to own approx 5 acres and a portion of that is covered by the water right. The department will require additional evidence in order to complete the ownership without a split or an additional fee to complete the split.

Water right number 35-7719 also appears to require a split there is about 5 acres owned by James Tiede. The water right covers 39 acres within the SWSW Section 20, Township 7 South Range 30 East and it appears Driscoll only sold about 35 acres to Heritage.

Water right 35-7836 the NWSW Section 14, Township 7 South Range 29 East, appears to have been sold to School District 37 and the water right may require a split.

****Additional information could be one or more of the following:

Quit Claim Deed for the Water Right only as long as Driscoll is the current owner.

Deeds where Driscoll had sold the property to the School District, James Tied, etc specifically withholding the water right from the sale.

Release from the property owners, saying they have no interest in the water right.

***Additional fees:

The filing fee for a water right resulting in a split is \$75.00 if you fee a split is required please supply the additional filing fee.

Because the Department cannot process the ownership change without proper documentation/fees, we will hold any action on your notice pending receipt of the necessary information/fees. If we do not receive the necessary information/fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact the Department if you have any questions.

Sincerely,

Jonie Barg
Technical Records Specialist

Enclosure(s)