



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

June 19, 2014

Niculai and Aurelia Scurtu
100 S Robinson Blvd.
Nampa, ID 83687

Re Application to Change Ownership of Water No. 63-28477

Dear Mr. and Mrs. Scurtu:

We visited in the IDWR Western Region office today regarding your application referenced above, which was returned to you because the legal description of the place of use of the water right is not the legal description of the land you purchased. The water right is for a domestic use for two homes.

All of the information I have gathered from you, such as the address and the two residences on your property correspond to water right no 63- 28477. However, I believe that when the water right owners and the prior property owners, Clarence and Rebecca Fogle, applied for this right with IDWR, they incorrectly identified the legal description of the place of use [POU] and the point of diversion [POD] [the well] as the SENW of Section 29, Township 3 North, Range 1 West. However, the deed of the property you purchased is in the SWNW of Section 29, which is contiguous with the right POU and POD.

In the aerial photographs that I reviewed from 1987 to 2013, there was no development at the legal description as identified in the water right. Therefore, I believe there is a clerical error in our records. However, IDWR cannot correct this without you filing a transfer to correct the legal descriptions. The transfer fee is \$200.

A domestic use for two residences owned by the same people is exempt from the water right requirements. In other words, IDWR does not require a water right for a domestic use as described in right no. 63-28477. You indicated today that you did not want to file the transfer, but intended to use the well for the exempt domestic use for the mobile home and the house at 100 Robinson Rd. That is lawful.

Sincerely,



Vicky Music
Sr. Water Resource Agent