



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 28, 2014

Brent & Patty Petersen Family Living Trust
PO Box 75
Driggs ID 83422

RE: Change in Ownership Water Right No. 75-10645

Dear Sir/Madam:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. During some research the department came across two ownership changes which are referenced above. The ownership change for 75-10645 was returned unprocessed in 2006 (copy of the letter enclosed). After completing some additional research the department has found the ownership change mentioned above can be complete with some additional information and if you resubmit the ownership change application.

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

**** **Evidence of Ownership:** The department will need you to resubmit the ownership change, the filing fee and a copy of your recorded Warranty Deed or other legal evidence of ownership. Also it appears your property is owned half by Brent and Patty Petersen individually and the other half is owned under the Brent and Patty Petersen Family Living Trust. Because the property is owned separately under different names the ownership change would require a split. If it is not your intent to split the water right you could file a quit claim deed for the water right only deeding the water right from the entity you do not want on the water right to the entity you do. For example the original ownership change that was submitted previously listed the new owner as Brent Petersen and Patty Petersen Family Living Trust so you could file a quit claim deed for the water right only from Brent and Patty Petersen individually to the Brent and Patty Petersen Family Living Trust. This would not affect the way the property itself is listed, it would just put the entire water right into one name. If you decided to split the water right just submit the deeds as they currently read and the department will split the water right based on the deeds submitted and each entity will receive their proportionate share of the water right.

**** **Filing Fee:** **\$25.00** per water right for an application not resulting in a division of the water right or **\$100.00** per water right for an application splitting the water right.

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed.

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)