



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER - Governor
Gary Spackman - IDWR Interim Director

April 26, 2012

Gilbert Wilcox
1674 West 300 North
Blackfoot, ID 83221

RE: Resolution of Unauthorized Water Use Letter (dated April 6, 2012)

Dear Mr. Wilcox:

Thank you for responding to the April 6, 2012 letter regarding possible unauthorized irrigation. In our phone conversation, you notified me that there is a valid water right associated with the property in question. After some additional research, I discovered that water right 35-2183E covers the entire irrigated acreage identified in the April 6, 2012 letter. A partial decree was issued by the SRBA Court in January 2002. The water right simply did not have a map shape for the place of use. When we were comparing aerial photography to the place of use shapes for all of the ground water rights in the area, because your right did not have a shape, it appeared as though the acres were being irrigated without a right. The mapping error has been corrected.

Please be aware that the water right is still in the name of Gary Larsen. An ownership change should be filed to add you as the current owner of the right. I apologize for the department's error and for any stress or inconvenience my previous letter may have caused. Ultimately, however, I am glad that we uncovered an error in our mapping database that was easily corrected. If you have any additional questions, please feel free to give me a call.

Sincerely,

James Cefalo
Water Resources Program Manager
IDWR - Idaho Falls

Cc: Rob Whitney, IDWR Boise