

Barg, Jonie

From: Barg, Jonie
Sent: Monday, March 11, 2013 1:32 PM
To: 'jrigby@rex-law.com'
Subject: Bench Farms Limited Partnership

Mr. Rigby

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:

**** **Evidence of Water Right Ownership:** copy of 'recorded' Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question. According to the information submitted Bench Farms only owns a portion of the place of use of water right number 22-13457. It has come to my attention that the department is aware of the discrepancies, however in order for the department to complete your request additional information/evidence will be required. I understand there is a lease agreement or ground swap associated with this water right. In order for the department to complete your application a agreement signed by the land owner and the current owner of the water right, being Webster Brothers Inc and Richard Smith indicating both are aware of and agree to the ownership change. OR a recorded quitclaim deed for the water rights only from Richard Smith to Bench Farms.

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.

Jonie Barg

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