



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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 4, 2013

Berend Friehe
Carla Friehe
2498 Rd S NE
Moses Lake WU 98837

RE: Notice of Name Change for Water Right No(s). 73-2160, 73-12126, 73-12134, 73-10045, 73-12129, 73-12137, 73-12124, 73-12131 & 73-12141

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s) to you. The department has modified its records to reflect the change in ownership and has enclosed computer-generated reports for your records.

Please note the department has reviewed your request. We acknowledge receipt of an application in August of 2012, at that time the ownership was in the name of Real Holdings; however the department did not receive evidence of ownership until December 2012. The deed received by the department put the water rights in the name of Real Holdings. Upon receipt the ownership change was complete. In January of 2013 you informed the department that the current owner should have been listed as Berend and Carla Friehe and not Real Holdings. The department reviewed the information received and determined with the information received the ownership change was completed properly and if the ownership should be listed differently another ownership change would be required. During conversations with the title company and you we found a deed had been recorded putting the water right into Berend and Carla Friehe on October 18, 2012 which was prior to the ownership change being complete. The department has determined the ownership change will be complete and the filing fee will be returned.

Please note, water right(s) 73-12126, 73-12131, 73-12134 & 73-12141 was leased to the Water Supply Bank (Bank) on August 27, 2008. In accordance with the bank lease acceptance, the lessor or current right holder may not use the right(s) while it is in the Bank, even if the right(s) is not rented from the Bank. The right(s) as of this time do not have an expiration date and will remain in the Bank, unless released by the Water Resource Board or upon request by the right holder. **To reduce the term of the lease, the right holder must submit a written request to the department.** The department will verify if the right is rented or available for release, and notify the right holder of the release date.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been deliberately abandoned or forfeited through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Sections 42-222 and 42-223, Idaho Code.

Also, 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 this office if you have any questions regarding this matter.

Sincerely,

Jonie Barg
Technical Records Specialist

Enclosure(s)

cc: Water District 73
Idaho Department of Water Resources Water Supply Bank