

Smith, Danni

From: Baxter, Garrick
Sent: Monday, December 24, 2012 3:07 PM
To: Yenter, Cindy
Cc: Smith, Danni
Subject: RE: IGWUA/Clear Springs Owner Change

Cindy and Danni,

Since this is only a change of ownership request, we should focus on that aspect. If they want the water rights amended to add conditions to them, that would need to take place through a separate proceeding.

Garrick

From: Yenter, Cindy
Sent: Thursday, December 20, 2012 3:36 PM
To: Baxter, Garrick
Cc: Smith, Danni
Subject: IGWUA/Clear Springs Owner Change

Garrick – IDWR has received the owner change transferring ownership of the Clear Lakes hatchery facility water rights from IGWUA to Clear Springs Foods. I reviewed the Warranty Deed for Danni before she updates the water rights, and I note that in the Exhibit B exceptions, no. 25, there is a statement that:

“All water rights described in Exhibit “A” hereto shall be deemed subordinated to all ground water rights now owned or hereafter acquired by any present or future member of a Ground Water District.... the Director of the Idaho Department of Water Resources has or will add the above-described subordination condition to each water right listed in Exhibit “A.....”

Did we agree to do that? I wouldn't be comfortable adding this condition to these rights, nor do I see this provision in the May 16 Order. I think its not necessary. Can we ignore this?

This is a copy of the owner documents and warranty deed. Please advise at your earlies convenience so that Danni can proceed with the owner updates.

<< File: DOC002.pdf >>