



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region, 900 North Skyline Drive, Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

November 13, 2012

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

Philip Yost
Lisa Yost
1780 Rich Rd
Grace ID 83241

RE: Change in Ownership Water Right No. 13-7809

Dear Sir/Madam:

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:

**** **Filing Fee** of \$100 per water right for changes resulting from division of a water right. The department acknowledges receipt of \$25.00 receipted under receipt number E038170 so an additional \$75.00 is required.

During our review of the documentation you submitted we found some discrepancies between that documentation and the legal description of the place of use for the water right(s) indicated in your notice. I have enclosed a copy of the water right(s) for your reference.

According the Warranty Deed dated January 14, 1985 instrument number 123237 you own the W1/2 of the SE quarter of Section 21 and the W1/2 of the NE of Section 28, both in Township 9 South Range 40 East of the Boise Meridian, in the name of Philip and Lisa Yost. According to the Warranty Deed dated January 14, 1985 instrument number 123279 you own the West 406 feet of the E1/2 of the SE quarter of Section 21 and the West 406 feet of the E1/2 of the NE quarter of Section 28, both in Township 9 South Range 40 East in the name of Yost Family Farms.

Because the water right covers the pivots in the SE quarter of Section 21 and the NE quarter of Section 28 a split is required. In order for the department to split the above mentioned water right an additional fee is required.

The department is required to list ownership according to the deed provided. Please note the water right will be split putting a proportionate share in the name of Philip and Lisa Yost, another portion in the name Yost Family Farms and leaving the remainder in the name of Date Yost.

According to the taxlot data available it appears the remaining portion of this water right is owned by Russell Gibson, the department will require the current owner of the remaining portion to file a Notice of Change in Water Right Ownership before the water right can be put in the name of Russell Gibson.

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. We have determined that the additional filing fee for your notice will be \$75.00

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)