



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C.L. "BUTCH" OTTER

Governor

GARY SPACKMAN

Director

September 19, 2011

RICHARD A & TONI E ALLISON
1108 W 4TH ST
MERIDIAN ID 83642

RE: Water Right No. 65-10607 (& Domestic 65-10606)
Change in Ownership

Dear Mr. & Mrs. Allison:

The Department of Water Resources acknowledges receipt of the information you submitted in support of your Notice of Change in Water Right Ownership filed on September 13, 2012 for the water right no(s) referenced above. The Snake River Basin Adjudication (SRBA) Court issued a partial decree describing the water right(s) with a place of use different than your property as described in the documentation you originally submitted. We have reviewed your information and found that it is not sufficient to resolve the point of diversion and place of use discrepancy.

In order to process your change in ownership, we need documentation to show that you own the water right(s) or the property described as the place of use for the water right(s). If you believe that the SRBA Court issued the partial decree(s) with an error in the description of the place of use, you may be able pursue one of the following options with the Court.

- 1) Motion to set-aside – a motion filed with the SRBA Court which, if granted, would provide a process to correct the partial decree. You would need to provide justification for the correction.

As additional alternatives, you could pursue one of the following options with the Department.

- 1) New Appropriation – an application for permit filed with the Department to develop a new water right. If a permit is approved, the priority date is the date that the application is filed. Some areas of the state are closed to new development. Please note that a water right permit is not required for certain domestic uses from a ground water source.

- 2) Water Right Transfer – an application filed with the Department to change an existing water right. In this case, the purpose of the transfer would be to change the place of use (and possibly the point of diversion) to your property description. You would need to provide evidence of ownership or authorization from the current owner of record before the Department could process the application.

If you choose to file an application for permit or transfer with the Department, you may be able to apply any fees submitted with your Notice of Change in Water Right Ownership to the application. Please contact staff from the Water Right Permits section of this office if you have additional questions related to the applications described above.

Please let us know within 30 days how you plan to proceed. I am returning your Change of Ownership request and attachments. If we do not hear from you within 30 days a refund of any fees submitted with your notice (\$25 receipt #C095984) will be requested.

I have enclosed documents you may need if you file an Application for Transfer addressing the SRBA recommendation address the county parcel number and address on both of the water rights associated with your property. If you have additional questions please contact me at 287-4910.

Sincerely,

A handwritten signature in cursive script that reads "Danni M. Smith".

Danni M. Smith
Technical Specialist II

Enclosures