



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

February 13, 2012

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

DIANE K HALL
KEITH E HALL
PO BOX 126
CRAIGMONT ID 83523

RE: Water Right No. 77-7061A
Change in Ownership

Dear Water Right Holder:

The Department of Water Resources acknowledges receipt of the your Notice of Change in Water Right Ownership filed on January 31, 2012 for the water right number referenced above. The Snake River Basin Adjudication (SRBA) Court issued a partial decree describing the water right 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 place of use discrepancy.

In order to process your change in ownership, we need documentation to show that you own the water right or the property described as the place of use for the water right, copy of the SRBA Partial Decree is enclosed. If you believe that the SRBA Court issued the partial decree 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.
- 2) Motion to file late claim – a motion filed with the SRBA Court which, if granted, would allow you to file a new claim for your existing water use. The SRBA Court is considering late claims in this area only until MARCH 30, 2012. A late claim would be investigated for validity and accuracy by the Department.

Please contact me of this office at 287-4910 if you have questions related to the SRBA. I can assist you with the SRBA Court's processes. In addition your deed refers to land in Idaho County, I also cannot find any SRBA claim for Roy Wood.

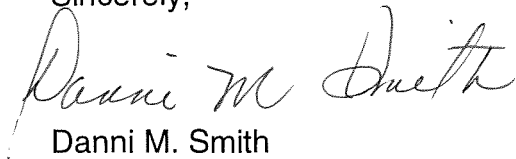
As additional alternatives, you could pursue one of the following options with the Department.

- 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. If we do not hear from you within 30 days we will return your Notice of Change in Water Right Ownership and all attachments and refund any fees submitted with your notice.

Sincerely,

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

Danni M. Smith
Technical Specialist 2

Encl: