



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

September 26, 2011

Idaho Agricultural Credit Assn FLCA
PO Box 985
Blackfoot ID 83221

RE: Notice of Security Interest in a Water Right 35-4237 & 35-13912

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence adding a security interest to the above referenced water right(s) to you. The department has modified its records to reflect the security interest and has enclosed a computer-generated report for your records.

The department also acknowledges receipt of an ownership change for water rights 35-4237 & 35-13912 from Merlin Smith to Merlin Smith, Merlin Smith Jr and Jennifer Smith however the deeds did not cover the entire place of use therefore a division of the water right is required. The department is holding the ownership change for receipt of either a deed for the entire place of use of the water rights, deed for the water rights only or additional filing fee of \$100.00 for the division of the water rights.

Updating the security interest record for a water right does not reconfirm the validity of the right. When processing an security interest 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.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Jonie Barg
Technical Records Specialist

Enclosure

cc: Merlin Smith