



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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September 22, 2011

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

STANLEY AND BARBARA ALLEN
JOHN AND JANET LOTHSPICH
PO BOX 14
JEROME ID 83338

RE: Notice of Change in Water Right Ownership for Water Right No. 36-4227

Dear Interested Parties:

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.

Water right 36-4227 is for stockwater and domestic use for 3 homes. An old map submitted with the claim shows the location of the 3 homes. It looks like 1 home is on the lot you purchased, 1 home is on the lot owned by Richard Falconburg and 1 home is on a lot owned by Stanley Allen. I have enclosed a copy of this map for your review.

The fee to change the ownership of a water right is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. Based on the documentation submitted, it does appear that a division is required and an additional \$75 is due. If the additional fee was submitted, you would receive 0.02 cfs of water for domestic use for 1 home and stockwater use, a combined use limitation for all 3 homes would still be 13,000, and the balance of 0.04 cfs would remain in the names of Bonny and David Ross until such time additional ownership changes were received.

If all the current owners wanted to be listed as joint owners of the water right, each party would need to supply a copy of their deed(s) and write a letter requesting that all owners be listed jointly on the water right, no additional fee would be required.

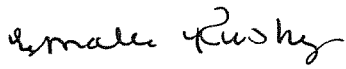
One other option would be to split the water right 3 ways. I would need a notice of change in water right ownership from the Falconburgs with their deed and from the Allens with their deed. If this came in together, with the additional fee of \$75, I would process the entire ownership change as a package.

I note that your deed is subject to a well agreement recorded as Instrument No. 2004103. This may not have any bearing on an ownership change as the ownership change is not based on the point of diversion.

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 feel free to contact the Department if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Emalee Rushing". The signature is fluid and cursive, with the first name "Emalee" and last name "Rushing" clearly distinguishable.

Emalee Rushing
Office Services Supervisor

Enclosures

CC: RICHARD L FALCONBURG
109 S 100 E
JEROME ID 83338

ANNIE COSTA
LAND TITLE AND ESCROW INC
PO BOX 349
JEROME ID 83338