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Department of Water Resources
Eastern Region

July 29, 2011

Jonie Barg
Technical Records Specialist
Idaho Department of Water Resources
Eastern Region
900 North Skyline Drive
Suite A
Idaho Falls, Idaho 83402-1718

RE: Change in Ownership Water Right No. 29-11345

Dear Ms. Barg:

In reference to your letter of July 19, 2011 (Enclosure #1), we have provided the documents you specified in your **Evidence of Water Right Ownership** section. There were three (3) such documents requested by you and we have enclosed them in the order of your letter:

First, you wanted a legal document indicating our ownership of the property and/or water right (#29-11345). The deed of trust sent to you in as an attachment to my April 18, 2011 Notice of Change in Water Right showed Richard A. Sumin, Evelyn Kay Sumin and Michael N. Fisher as the owners of record for the property at 1724 N. Mink Creek Road, the location of the subject water right. Since we understand, as you indicated in your letter of July 19, that a deed of trust is not acceptable as proof of ownership, we have enclosed are two (2) quit claim deeds (Enclosures #2 and #3) transferring their share of the property to Michael N. Fisher and Sandra M. Fisher, leaving us (Michael and Sandra) as sole owners of the property. We assume this satisfies the evidence of ownership need.

Second, you requested a document releasing the Karen Fisher Interest (ex-spouse) in the subject water right. A quit claim from Karen Fisher for the Mink Creek property, and by extension the Water Right No. 29-11345, is enclosed (Enclosure #4).

Third, you indicated a recorded deed adding Sandra M. Fisher as a co-owner to the Mink Creek property/water right would be required. Enclosed (#5) is a warranty claim deed from Michael N. Fisher to Sandra M. Fisher an undivided 24.5% interest in the Mink Creek property. This deed was recorded on February 11, 2010.

You also stated in your **Evidence of Water Right Ownership** section that the Department could not accept a deed of trust as proof of ownership. We assume the series of warranty deeds (#2, 3

and 5) are adequate indication of our (Michael and Sandra) ownership of the Mink Creek property and water right.

Relative to Paragraph #4 of your July 19th letter, the enclosures provided you in this letter are intended to fulfill "proper documentation". As to the fees, you no doubt are aware that I did provide a check for \$25.00, as directed, on April 18, 2011 and that check has been cashed by the Department. I am not aware of any further fees necessary, but if there are please advise.

As to your Paragraph #5, we feel that our actions to this point demonstrate good faith efforts to fulfill our responsibilities under Section 42-248, Idaho Code.

Please let us know if further clarification or documentation is required on this case.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Fisher", with a stylized flourish at the end.

Mike Fisher

Michael N. Fisher
Sandra M. Fisher
1724 North Mink Creek Road
Pocatello, Idaho 83204
(H) 208/233-6705
(W) 237-6617 ext 110