



State of Idaho

DEPARTMENT OF WATER RESOURCES

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October 16, 2009

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

KALISPEL TRIBE OF INDIANS
PO BOX 39
USK WA 99180

RE: Change in Ownership for Water Rights 97-7004 & 97-7061

Dear Applicant:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership received on 6/5/2007. We apologize for the delay in processing your application. Our review of the documents you submitted indicates some discrepancies between the legal descriptions of the places of use for the water rights.

For WR #97-7004, the legal description in the title insurance policy you sent matches the water right's place of use except in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of T59N R5W Sect. 29. The insurance policy lists only 20 acres in this quarter-quarter. The water right is for 35 acres. Proof of ownership of the entire 35 acres is required to process the ownership change as submitted. Or, you may apply for a split of the water right. The fee to split a right is \$100. If you choose to split the right, the original \$25 ownership change fee can be applied to the split fee, which would leave a balance of \$75 due.

For WR #97-10172, the legal description in the title insurance policy differs from the place of use described on the water right license. It appears that the license may contain errors listing irrigated acres in the incorrect quarter quarters. I have enclosed a copy of original application for permit, the field report, and the water right license. Because a water right license is legally binding, we cannot change the document without consent of the current property owner. Please contact our office to discuss options available for correcting the water right.

Please submit a written request or other form of petition to correct the license. After the license is corrected, we can process the ownership change you requested for this water right.

The Department cannot process the ownership change without proper documentation. We will hold your application for 30 days pending receipt of the necessary information. If we do not receive the documentation within that time, we will return your notice and all attachments unprocessed.

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

Sincerely,

Dayna M. Ball
Technical Reviewer
Water Allocations Bureau

Enclosure