

RECEIVED

NOV 19 2010

Department of Water Resources
Eastern Region

Law Offices of

BAKER & HARRIS

Dwight E. Baker
Jared M. Harris*
Jonathan W. Harris
* Also Admitted in Utah

266 W. BRIDGE STREET
BLACKFOOT, ID 83221
Telephone (208) 785-2310
Facsimile (208) 785-6749
E-Mail —jharris@bakerharrislaw.com

November 16, 2010

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

Re: Madarieta Sod Farm/Merlin Smith
B & H Matter No. 7174

Dear Sir or Madam:

Enclosed please find our check in the sum of \$175, submitted pursuant to the enclosed letter.

If you should require anything further, please advise.

Very truly yours,

BAKER & HARRIS



Jared M. Harris
JMH/lis
Enclosures

E036281



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

October 18, 2010

Merlin Smith Sr
833 S Stout Ave
Blackfoot ID 83221

RE: Change in Ownership Water Right No. 33-2040, 33-7016 & 33-7022

Dear Sir/Madam:

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. The information required is indicated below:

**** **Filing Fee** of \$100 per water right for changes resulting from division of a water right

**** **Evidence of Water Right Ownership:** copy of Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question

During our review of the documentation you submitted we found that the water rights listed above have the same place of use and split for all three water rights would be required. Please find a map showing the place of use of the water rights mentioned above. If you believe the place of use should be split, an additional fee will be required, if you believe the entire place of use was purchased please submit additional evidence indicating your ownership. The department has received a total amount of \$125.00 in filing fees already as per receipt number E036091, if all three water rights will be split a total of \$300.00 is required, so an additional \$175.00 would be needed prior to completion.

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed.

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 note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

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

Sincerely,


Jonie Barg
Technical Records Specialist

Enclosure(s)

cc: Baker & Harris

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

RECEIVED

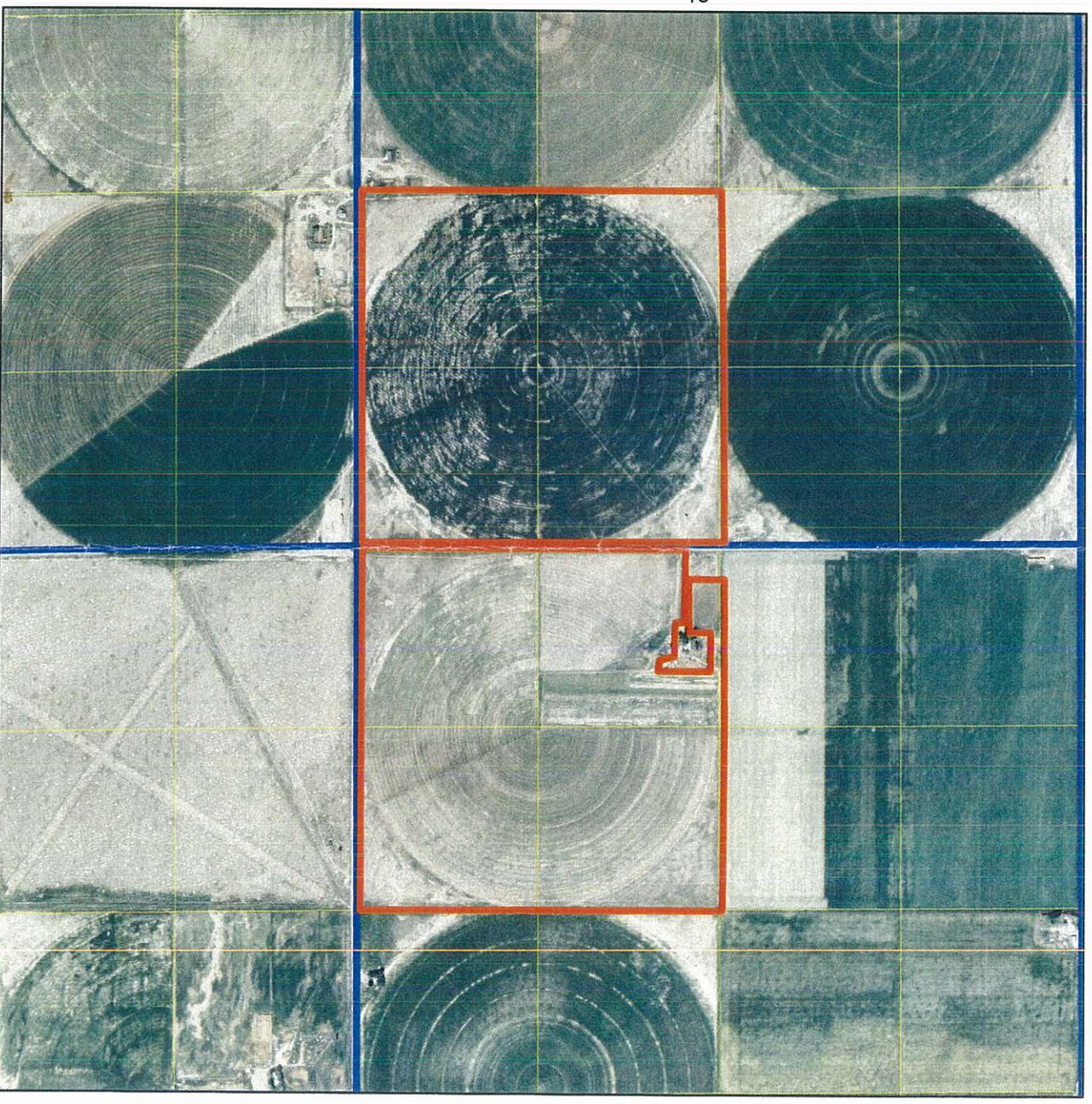
NOV 19 2010

Department of Water Resources
Eastern Region

Idaho Department of Water Resources

Legend

-  Place of Use 33-2040, 33-7016 & 33-7022
-  Taxlots
-  Township/Range
-  Sections
-  QQ



Layout Created by:
Jonie Barg
Date:
October 18, 2010