



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

September 22, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

YVONNE B HOWARD
1011 LYON RD
MOSCOW ID 83843

RE: Change of Ownership for Claim to a Water Right No. 87-4010

Dear Water Right Holder:

The department acknowledges the correspondence changing ownership of water right 87-4010 from Terry R. Howard to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

While comparing the documentation you submitted, I noticed that the claimed place of use and point of diversion appear to be incorrect. The place of use was claimed as 5 acres of irrigation in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 1, Township 39N, Range 5W, B.M. The parcel of land you own is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 1. The claim also refers to the diversion of water from a stream which runs though the property. The South Fork of the Palouse River runs through the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 1. I believe your place of use and point of diversion are located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 1. Enclosed is a map which depicts the property boundary and the stream which runs through it.

I also discovered another claim in the name of Terry R. Howard at the same location. Claim 87-4011 is for domestic use from a groundwater source (well). It appears to have the same mistakes in the place of use and point of diversion as claim 87-4010. I have enclosed copies of each claim for your review. This claim remains in the name of Terry R. Howard.

The ownership of claim 87-4011 can be updated by submitting the required \$25 fee. Upon receipt of the \$25 fee, I will add claim 87-4011 to the notice of change in water right ownership you submitted and change the current owner from Terry R. Howard to you.

In order to correct the mistakes on the claims, please sign and return the enclosed applications for amendment. Each amendment form depicts what I believe are the correct locations for the places of use and points of diversion. Please review the amendment forms to verify that the elements are correct. If you need to make any corrections, strike through the incorrect information, write in the correct information, and initial each correction.

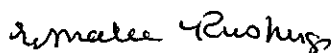
A copy of this letter is being mailed to the owner of property in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 1, Township 39N, Range 5W, B.M. This is for informational purposes. If the property owner disagrees with the conclusion that you now own the water rights claimed by Terry R. Howard and that the place of use and point of diversion descriptions on these claims are incorrect, he/she can write a response to this letter and submit it to the department..

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

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 this office if you have any questions regarding this matter.

Sincerely,

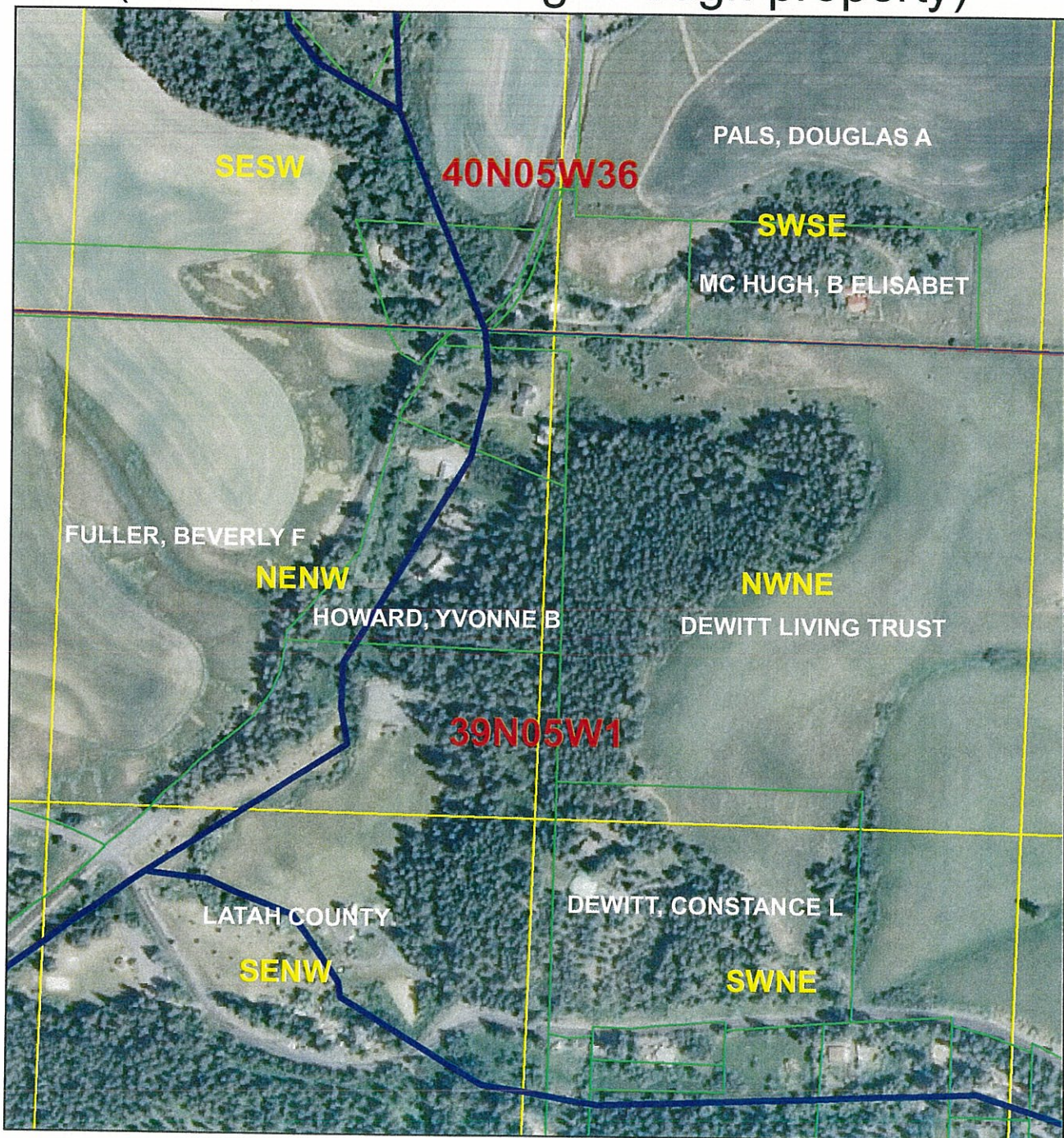


Emalee Rushing
Office Services Supervisor

Enclosures

Cc: DeWitt Living Trust
10816 SE Evergreen Hwy
Vancouver WA 98664

Map of Howard Property (with stream running through property)



Legend

-  Streams
-  Township/Range
-  Sections
-  Taxlots
-  Quarter Quarter

