



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 28, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

PHILLIP L HANCE
ROBIN K HANCE
3322 DENT BRIDGE RD
OROFINO ID 83544

RE: Notice of Change in Water Right Ownership

Dear Mr. & Mrs. Hance:

The Department of Water Resources is in receipt of your notice of change in water right ownership for water right no.84-4090. The Snake River Basin Adjudication (SRBA) Court issued a partial decree describing the water right with a place of use different than your property as described in the documentation you submitted. I have enclosed a copy of the decree for your convenience.

In order to process your change in ownership, we need documentation to show that you own the water right or the property described as the place of use for the water right. If you believe that the SRBA Court issued the partial decree with an error in the description of the place of use, you may be able pursue one of the following options with the Court.

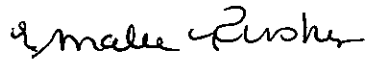
- 1) Motion to set-aside – a motion filed with the SRBA Court which, if granted, would provide a process to correct the partial decree. You would need to provide justification for the correction.
- 2) Motion to file late claim – a motion filed with the SRBA Court which, if granted, would allow you to file a new claim for your existing water use. A late claim would be investigated for validity and accuracy by the Department.

As an additional alternative, you could pursue an application for permit to develop a new water right. If a permit is approved, the priority date is the date that the application is filed. Some areas of the state are closed to new development. Please note that a water right permit is not required for certain domestic uses from a ground water (well) source.

If you choose to file an application for permit with the Department, you may be able to apply any fees submitted with your Notice of Change in Water Right Ownership to the application. Please contact staff from the Water Right Permits section of this office if you have additional questions related to the applications described above. Forms to file a change a late claim or an application for permit are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please let us know within 30 days how you plan to proceed. If we do not hear from you within 30 days we will return your Notice of Change in Water Right Ownership and all attachments and refund any fees submitted with your notice.

Sincerely,

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

Emalee Rushing
Office Services Supervisor

Enclosure