



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

July 15, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

GEORGE L BUTCHER
LOIS P BUTCHER
25 TOM BOYLE RD
CARMEN ID 83462

RE: Change in Ownership of Water Right No. 75-10657

Dear Mr. & Mrs. Butcher:

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.

During our review of the documentation you submitted we found some discrepancies between that documentation and the legal description of the place of use for the water right indicated in your notice. I have enclosed a copy of the water right report for your reference. The parcels as described on your deed places the property in the NENW and NWNE of Section 10, T23N, R22E. Water right 75-10657 is located in the NENE of that same section.

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.

Because the Department cannot process the ownership change without proper documentation, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days we will return your notice and all attachments and your notice will not be processed.

Please feel free to call me at 208-287-4952 if you have any questions.

Sincerely,

Emalee Rushing
Office Services Supervisor

Enclosures