



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

June 28, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

Wallace Cocroft
3715 Antelope Rd
Moore ID 83255

RE: Change in Ownership Water Right No. 34-7589, 34-10026, 34-13802, 34-13804, 34-13806 & 34-13808

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
- **** **Assignment of Permit**

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(s) indicated in your notice. I have enclosed a copy of the water right(s) for your reference.

Our letters dated December 15, 2009 and March 31, 2010 (copies enclosed) requesting an Assignment of Permit for water right number 34-7589, remain unanswered. At your earliest convenience please submit an Assignment of Permit for the previously mentioned water right.

During additional review our department has also found that additional information or additional fees may be required in order for your request to be complete. Please find attached a map showing the place of use of the above mentioned water rights and showing the property purchased as per the deed provided to the department. It appears that water right number 34-10026 is not appurtenant to your property; therefore you would not be entitled to that water right. The place of use of water right numbers 34-13802, 34-13804, 34-13806 and 34-13808 appear to cover additional ground not covered by your property as per the deed provided, therefore a split would be required in order to complete your application. In order for the department to complete a split of the water rights additional fees are required, there is a \$100.00 fee for the split of the water rights. The department acknowledges receipt of \$150.00 shown on receipt number E035507, which is \$25.00 per water right. An additional \$75.00 per water right for the four mentioned above would be required to complete your request splitting the water rights. Please review the map attached if you believe you own the entire place of use of the water right please submit additional deeds indicating your ownership. If not please supply the additional fees required to complete your application.

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,

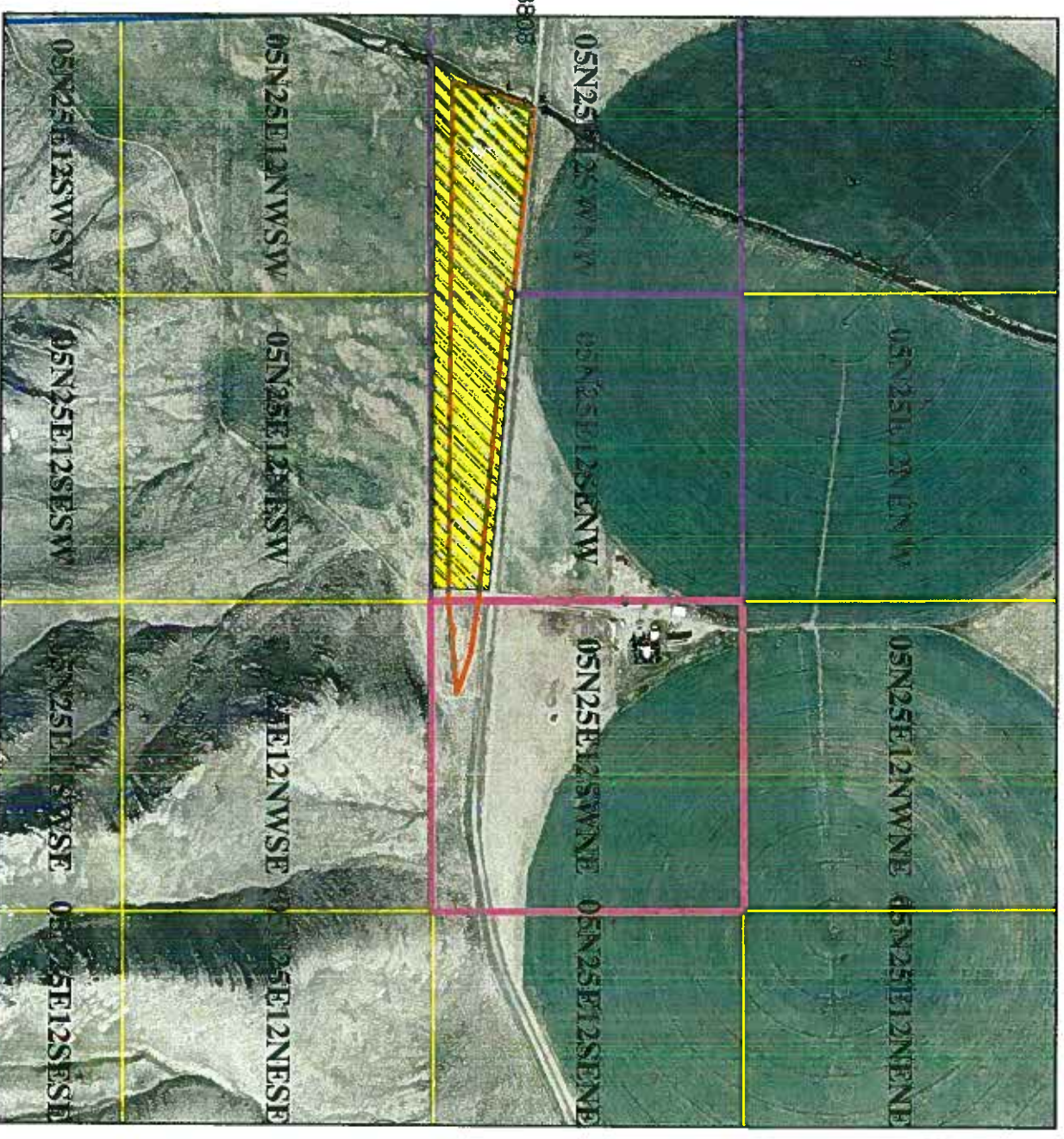
Jonie Barg
Technical Records Specialist

Enclosure(s)

Idaho Department of Water Resources

Legend

- 34-13802, 34-13804, 34-13806 and 34-13808
- Cocroft Property
- 34-10026
- 34-7589
- Taxlots
- Township/Range
- Sections
- QQ



Layout Created by:

Jonie Barg

Date:

June 28, 2010