



## 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](http://www.idwr.idaho.gov)

C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Interim Director

June 7, 2010

Shanna L Foster  
Jennifer Ayers  
PO Box 212  
Leadore ID 83464

RE: Change in Ownership Water Right No. 74-2

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:

\*\*\*\* **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

\*\*\*\* **Clarification**

\*\*\*\* **Additional Fee**

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.

First let me apologize for the error in Jennifer's name, the department has corrected its records to reflect her name as Jennifer Ayers instead of Jennifer Dyers. According to your letter dated 4/24/2010 there was an error on your original application for Notice of Change in Water Right Ownership the water right number should have read 74-2 not 74-7. Water right number 74-2 is not appurtenant to the property as described on the deed submitted with your application; please find attached a copy of proof report for the above listed water right. If your property is not appurtenant to the above listed water right, please inform our department of the correct water right number. According to our records there are 3 water rights located within the area as described on your Quitclaim Deed. The water right numbers are 74-1615, 74-1616 and 74-2351, according to our records the current owners of these water rights is Albert Peterson. If you feel you have an interest in these water rights, please inform our department. Please note if you are entitled to the 3 water rights previously mentioned our department will require an additional fee and a full chain of title back to Albert Peterson.

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](http://www.idwr.idaho.gov).

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

Sincerely,

Jonie Barg  
Technical Records Specialist

Enclosure(s)