



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

August 13, 2009

Kirt & Lori Sutton
Stanley & Pauline Sutton
864 E 7156 S
Rexburg ID 83440

RE: Change in Ownership Water Right No. 22-2251, 22-7090, 22-7493, 22-7495 & 22-7513

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:

XXXX 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

XXXX Filing Fee of \$100 per water right for changes resulting from division of a water right

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.

During our review the department has found that 22-2251, 22-7090, 22-7493 and 22-7495 appear to be ready to process; however the place of use for 22-7513 covers additional acreage not covered in the legal descriptions for the Warranty Deeds submitted. Please find enclosed a map showing the place of use for 22-7513 and the property covered in the Warranty Deeds you attached with your Notice of Change in Water Right Ownership. At your earliest convenience please review the map and then submit one of the items listed above. If you believe you do own property in the other quarter quarters shown on the map, please submit documentation indicating your ownership of the property. If you do not believe you own any property within the other quarter quarters please submit additional fees in order for the department to completed a split of water right number 22-7513.

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. We have determined that if you believe you do not own the entire water right an additional filing fee in the amount of \$75.00 would be required in order for the department to complete your request.

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,

A handwritten signature in blue ink, appearing to read "Jonie Barg", is written over the typed name and title.

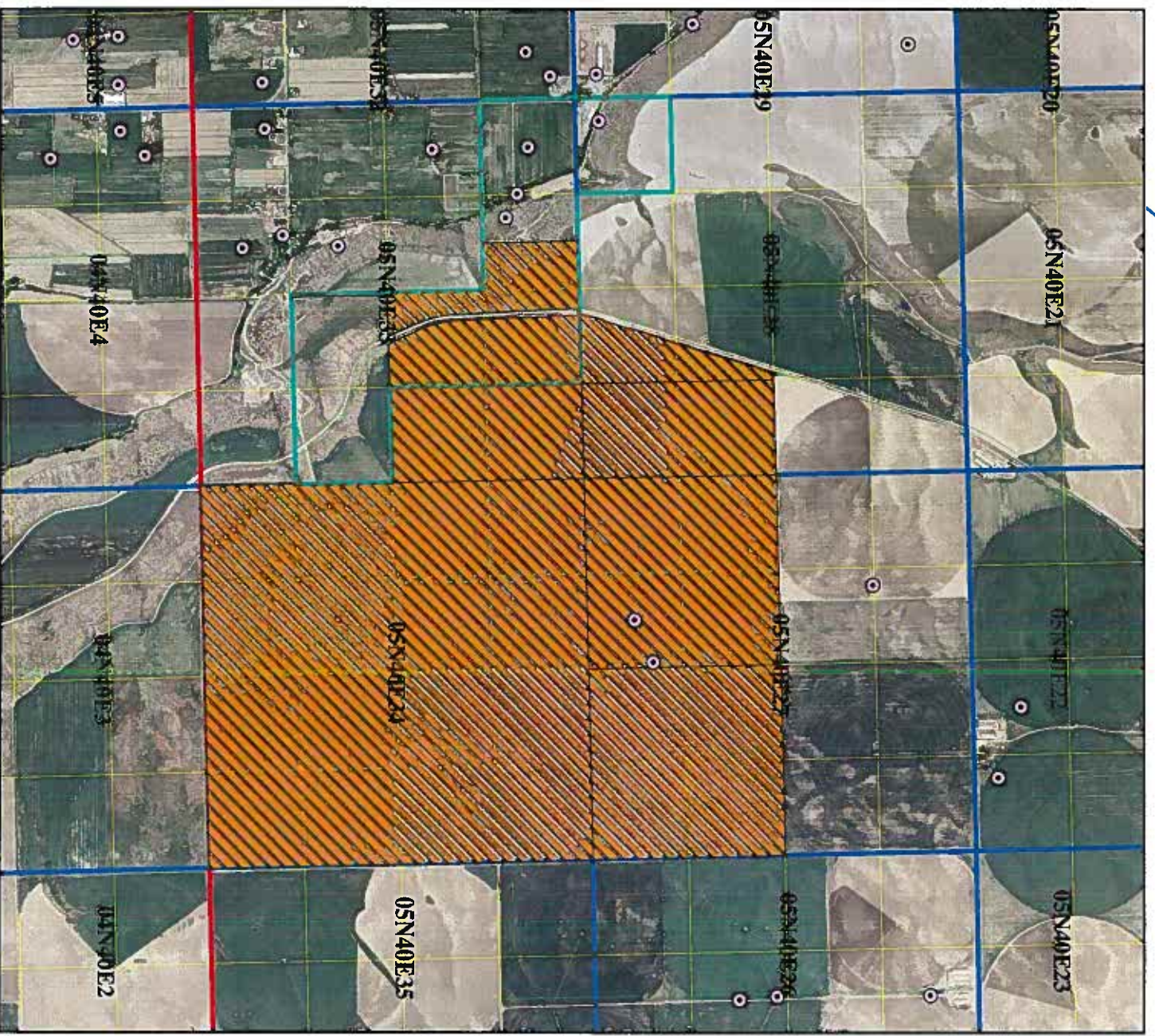
Jonie Barg
Technical Records Specialist

Enclosure(s)

Idaho Department of Water Resources

Legend

- Right POD
- Place of use 22-7513
- Sutton Property
- Township/Range
- Sections
- QQ
- Taxlots



LAYOUT CREATED BY:
JONIE BAY
DATE:
AUGUST 12, 2009