

MEMORANDUM

Date: May 7, 2009
To: Water Right File 96-8042
From: Aaron Marshall
Re: Ownership Change and Place of Use Correction

On February 14, 2008, IDWR received a notice to change ownership of water right 96-8042 from Raymond and Betty Jean Sorensen to Albert and Elizabeth Dennett. This right authorizes the use of 0.04 cfs of water from an unnamed stream for domestic purposes. The place of use described on the license is in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, Twp 57 N, Rge 1 E. The warranty deed submitted with the ownership change notice describes the Dennett's property located in Lot 3 (NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 21, Twp 57 N, Rge 1 E. IDWR staff corresponded with the Dennetts and informed them of the discrepancy.

Mr. Dennett responded and requested that IDWR change the place of use description on the water right license to match the location of his property. Mr. Dennett's neighbor, Jack Leaverton, provided a statement that describes the historical development of the land and the common water system authorized by water rights 96-4071 and 96-8042. Mr. Leaverton stated that water right 96-8042 was developed on the property now owned by the Dennetts.

The field examiner who verified the use of water under water right 96-8042 confirmed that both rights use a common system.

Based on this information, it seems Mr. Dennett's assertion is correct that water right license 96-8042 misdescribes the place of use location. The place of use can be corrected with a licensing amendment and an order approving the amendment and issuing a revised license.

Bonner County Assessors information shows that Jack and Dianne Leaverton and Teddi A. Garner own land in the place of use described on water right license 96-8042. These individuals should be provided notice of proposed correction to the place of use description.