



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

APRIL 10, 2009

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

DE LOY WARD
1305 SOUTH 2ND EAST
REXBURG ID 83440

RE: Change in Ownership for Water Right No. 35-7476A, 35-7476B & 35-7615

Dear Claimant:

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(s) indicated in your notice. I have enclosed a copy of the water right(s) and a map for your reference. The following information is needed:

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

XXX **Signature**

XXX **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.

The deed submitted for 35-7476B is in the name of Perry and Holly Ward and their signature is required on our Change of Ownership Form. Please sign and return the enclosed signature form. Additionally, only a portion of the POU for this water right was purchased. So this would require the department to split this water right. If you believe that the entire water right should be in the name of Perry and Holly Ward, please submit the Warranty Deeds that verify that.

The deed submitted for 35-7476A & 35-7615 is in the name of De Loy, Viola, Perry and Holly Ward. Additionally, only a portion of the POU for this water right was purchased. So this would require the department to split this water right. If you believe that the entire water right should be in the name of Perry and Holly Ward, please submit the Warranty Deeds that verify that.

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 and fees, we will hold any action on your notice pending receipt of the necessary information or fees. If we do not receive the necessary information or 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 cursive script that reads "Bobby Kern".

Bobby Kern
Office Specialist II

Enclosure(s)

Idaho Department of Water Resources

