



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

May 8, 2009

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

MERLIN SMITH SR
833 S STOUT
BLACKFOOT ID 83221

MERLIN SMITH JR
JENNIFER SMITH
399 N 500 W
BLACKFOOT ID 83221

RE: Change of Ownership for Water Right 35-2882

Dear Water Right Holders:

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The Notice of Change in Water Right Ownership indicated that a split of this water right was required. Upon review of the warranty deed, it appears that the entire water right was conveyed to you. I have enclosed a copy of the deed for your reference. The department has modified its records to reflect the change in ownership of this water right in its entirety to Merlin Smith, Sr., Merlin Smith, Jr., and Jennifer Smith. I have also enclosed a computer-generated report for your records. I am also requesting that a refund of \$75 be mailed out to the Law Offices of Baker and Harris.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been deliberately abandoned or forfeited through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Sections 42-222 and 42-223, Idaho Code.

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 this office if you have any questions regarding this matter.

Sincerely,

Emalee Rushing

Emalee Rushing
Office Services Supervisor

Enclosures

Cc: Jared Harris, Law Offices of Baker & Harris
Steven L Jones and Patsy L Jones