



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

October 3, 2008

Russell and/or Tammy Lloyd
26174 Moonglow Dr.
Middleton, ID 83644

COPY

Re: Water Right Transfer Application 73819 and Well Drilling Fee Upgrade

Dear Mr. and/or Mrs. Lloyd:

Your recent water right transfer application proposes ground water use from a well. All wells drilled in Idaho after June 30, 1987, require well drilling permits. A well might need a water right along with the drilling permit, depending on the intended use of the well.

Idaho Code 42-235 states the following regarding drilling permit fees:

There shall be a seventy-five dollar (\$75.00) charge for the permit if the well is to be used for domestic or monitoring purposes. If the well is to be used for other than domestic or monitoring purposes, the charge for the permit shall be two hundred dollars (\$200.00). All moneys received pursuant to this section shall be credited to the water administration account.

The difference in fees provides for an unintentional loophole, if you will, in that one can drill a well under the lesser fee and change the use after the fact. To fulfill the legislative intent of this rule, it is the Idaho Department of Water Resources' (IDWR) policy to collect the difference between the two fees when an increased use of water from the well occurs.

According to the records of IDWR, your well was drilled in 1998 under a \$75 domestic well drilling permit. A \$75 drilling permit covers a well that does not require water right approval from IDWR. This is typically a single-family domestic well.

Proposed use from your well does require water right approval, and your water right transfer application seeks that approval. The well drilling fee for a well requiring a water right is \$200 instead of \$75. IDWR must collect the unpaid balance of \$125 for a well drilled under those circumstances.

Lloyd
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A drilling permit upgrade is accomplished through upgrades to the well construction permit information with regard to use of the well and associated water right information required for the drilling permit. Failure to complete the upgrade may be cause for cancellation of your water right authorization.

Please remit \$125 to upgrade your well drilling permit within the next thirty days to facilitate processing of your water right transfer application.

I apologize for not mentioning this upgrade requirement during your visit to my office on 8/22/08. I was uncertain of the well construction specifics for the well you proposed as the new point of diversion on your transfer application until I received your amended application 10/1/08. Once this upgrade is completed your application should be complete and ready for processing. Again, I apologize for any inconvenience this may have caused.

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you have any questions. Thank you for your attention to this matter.

Sincerely,


Angela M. Grimm
Water Resource Agent, Sr.