



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

February 19 2009

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

KERMIT AND JOANNA WIGGINS
PO BOX 86
3460 RUSH CREEK RD
CAMBRIDGE ID 83610

COPY

RE: Application for Transfer No. 73931 of Water Right Nos. 67-14586, 67-14588 and 67-14592

Dear Applicant:

The Idaho Department of Water Resources (IDWR) is currently reviewing your June 2006 application for a transfer to change the place-of-use for the above referenced water rights. Department records indicate that you may not have the authority to file a transfer on the above rights.

Your transfer application (73931) states that the property which was the place-of-use was sold to a new owner without the water rights. However, the Department has a copy of a warranty deed which indicates that the water rights were not withheld when the property was sold to Brett Newbold. Since the date your application was received, the Snake River Basin Adjudication (SRBA) recommendations on the three rights listed above have been reviewed and the rights have been decreed to Brett Newbold.

Before the Department can proceed with the processing of this transfer we need written consent of the water rights' owner-of-record. If you can provide a quit claim deed of the water rights from Mr. Brett Newbold to you or a document signed by Mr. Brett Newbold stating that he will agree to the transfer, the Department can complete the review and processing of your transfer.

You may seek additional time to provide the information by making a written request to delay processing. Your written response including the requested information, or a request for more time to seek the information, must be received with thirty (30) days of the date of this letter.

If you no longer wish to proceed with the transfer, you may withdraw your application and because it is still in the initial review phase, you will be eligible for a refund of your transfer application fees. Please submit a letter requesting your transfer be withdrawn from further processing or return a completed Withdrawal of Application for Transfer of Water Right(s) form within thirty (30) days of the date of this letter. For your convenience, I have enclosed a blank form.

Without a timely reply, IDWR will issue a preliminary order to reject the application. The application fee will not be refunded for a rejected application. A rejected application may be re-filed when adequate information can be provided.

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Feel free to contact me with questions. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Michele Edl", written in a cursive style.

Michele Edl
Associate Engineer
Water Rights Section
Idaho Department of Water Resources
322 East Front Street
Boise, ID 83720-0098
Phone: 208-287-4946
Email: Michele.Edl@idwr.idaho.gov

Enclosure

Cc: Lary C. Walker