



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

January 9, 2009

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

MONTE POST
WATERPRO WELL DRILLING INC
6000 LITTLE FREEZEOUT RD
CALDWELL ID 83607

RE: Water Right Permit No. 63-12527, Request to Change Water Bearing Zone

Dear Mr. Post:

In your letter to Idaho Department of Water Resources ("IDWR") Water Right Permits Section Manager Shelley Keen, faxed on December 31, 2008, you requested a change to the water bearing zone to be appropriated under Water Right Permit No. 63-12527 ("permit"). The permit authorizes the use of ground water from a water bearing zone of 380 feet to 430 feet below ground surface for irrigation of lands located at Lot 5, Blk 1, Chukar Point Subdivision. You indicated that Tom Sellin, a potential buyer of Lot 5, Blk 1, Chukar Point Subdivision, has requested your services to drill a well to a depth of 530 feet.

Idaho Code § 42-211 requires a permit holder to file an application to amend the permit if the change will be substantial. After reviewing your request, the proposed change to the water bearing zone appears to be substantial since it may impact other nearby wells. The permit holder, Michael Mendoza, should submit an application to amend the permit and the requisite \$50 filing fee to request a change to the water bearing zone. If Mr. Mendoza no longer has an interest in the permit, he could submit an assignment of permit form along with the requisite \$25 filing fee to convey ownership of the permit to a party interested in developing the water right, such as Mr. Sellin.

Idaho Code § 42-211 also gives IDWR discretion on how to provide notice to water users that may be affected by the proposed change. If an application to amend the permit is received, IDWR will determine the appropriate method to provide notice to parties that may be affected.

Enclosed is an Application for Amendment of a Permit form and an Assignment of Permit form. These forms are also available from the IDWR web site at the following URL:
http://www.idwr.idaho.gov/water/rights/water_rights_forms.htm

If you have any questions, please contact me at (208) 287-4943.

Sincerely,

Aaron Marshall
Sr. Water Resource Agent

Enclosure(s)

C: Rob Whitney – IDWR Western Regional Office
Tom Sellin – 1036 Iron Eagle Dr, Ste 100, Eagle, ID 83616
Michael Mendoza – 9795 Lanktree Gulch, Star, ID 83669