



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

June 20, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

VERL S. FOSTER
PO BOX 344
DRIGGS ID 83422

RE: Change in Ownership of Water Rights 22-11398 and 22-11399

Dear Mr. Foster:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that Water Right #22-11399 is eligible for a change in ownership. However, a discrepancy between the place of use for Water Right #22-11398 and the land described in the Warranty Deed was found.

The Water Right covers all of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Township 4 North, Range 44 East, Section 13 (current water right information enclosed). The Warranty Deed you submitted indicates ownership of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, but only the South $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$. More information is needed to continue processing the ownership change. Please provide the following:

- ☒ **Documentation of ownership** of the entire area covered by *Water Right # 22-11398* is needed. If you own only a portion of the land described in the water right, it will be necessary to split the water right to reflect the portion that you own.
- ☒ **Filing Fee** - \$100 for changes resulting from division of a water right. The original \$25 fee will be applied. A balance of \$75 will be needed to complete a split.

Also, Lee Verl Foster is not shown on the Warranty Deed therefore, he can not be added as an owner of the water right unless proof of his ownership is submitted.

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 fees and information. If we do not receive the necessary fees and information within 30 days we will complete the ownership change for Water Right #22-11399 only.

Please feel free to contact me at 208-287-4800 if you have any questions.

Sincerely,

Dayna M. Ball, Technical Reviewer
Water Allocations Section

Enclosure

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 22-11398

WATER RIGHT NUMBER: 22-11398

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GEORGE H FOSTER 386 S 500 W DRIGGS, ID 83422 (208)354-2546
Current Owner	RUTH M FOSTER 386 S 500 W DRIGGS, ID 83422 (208)354-2546

Priority Date: 06/01/1890

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	SINKS

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.020 CFS	
	<u>Total Diversion:</u>	0.020 CFS	

Location of Point(s) of Diversion

SPRING	NW1/4NE1/4SW1/4	Sec. 13, Twp 04N, Rge 44E, B.M.
TETON County		

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
04N	44E	13																X	X	

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. PARCEL NO. RP04N44E136600A STOCKWATER, 30 CATTLE/HORSES
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 22-11398

Dates and Other Information:

Licensed Date:
Decreed Date: 8/9/1999
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank: