



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

August 23, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

JILL W ESHMAN ESQ
PO BOX 4991
KETCHUM ID 83340

RE: Water Right No. 37-8870

Dear Ms. Eshman:

The Department of Water Resources received your January 9, 2007, letter regarding the replatting of the North Fork Subdivision lots where your clients Chris and Jackie Flanigan live. According to your letter, the subdivision lot descriptions for the place of use and point of diversion on Water Right License No. 37-8870 are now outdated.

The information you provided has been added to the file for Water Right No. 37-8870. The department does not require a water right holder to file an application for transfer to update a legal description where the change is only the result of an improved methodology for referencing and displaying the same physical location. However, if the water right holder wants to pursue an actual change to the water right record as licensed, he or she must file an application for transfer. In other words, the department will not take enforcement action against your clients because the description of their property on the water right license and the actual legal description now differ, but if you want the water right record to be updated, you must file an application for transfer.

If you have any questions, please call me at 208-287-4947, or email me at shelley.keen@idwr.idaho.gov.

Sincerely,

A handwritten signature in black ink that reads "Shelley W. Keen". The signature is written in a cursive, flowing style.

Shelley W. Keen, Manager
Water Right Permits Section