



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

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

May 09, 2007

LAND TITLE & ESCROW INC
PO BOX 349
JEROME ID 83338

RE: Water Right Nos. 36-2153B & 36-8289
Change in Ownership & Security Interest
Huettig/Star Falls Farms (J-36440)

Dear Laury Lamb:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership & Notice of Security Interest submitted on behalf of Huettig & Star Falls Farms.

Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

☒ **Evidence of Water Right Ownership:** copy of Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question

The personal representative's deed submitted with the Change of Ownership notice does not include the intent described in Exhibit A attached to the form. The deed describes the land and "all appurtenances" which would include a portion of all the rights associated with the property. From the Exhibit A attachment to the notice, I understand the intent to change the ownership of 2 of the 6 rights included in the referenced 511 acre permissible place of use and continue to operate as a single combined system as the rights are currently described.

In order to clearly separate ownership of the rights and the land, Star Falls Farms will need to provide a deed relinquishing ownership of rights 36-2117, 36-2594, 36-7639 & 36-8147 to whoever owns the remaining lands, and a deed from the owners of the remaining land relinquishing ownership of rights 36-2153b & 36-8289 to Star Falls Farms. It might also clarify agreement of the continued use on all 511 acres.

☒ **Evidence of Security Interest:** copy of Deed of Trust, Mortgage, Contract of Sale or other legal document indicating your interest in the property and water rights in question

No documentation was filed with the Notice of Security Interest to evidence the Security Interest. Please submit sufficient documentation as noted above including the required legal description.

☒ **Filing Fee** of \$25 per water right

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed. We have determined that the filing fee for your Notice of Change in Ownership is \$50 (2 x \$25) and an additional \$50 (2 x \$25) is due for the Notice of Security Interest. You submitted \$50 total with these two notices, so an additional \$50 fee is required. If no additional fee is submitted, both forms will be returned unless you designate which form you want processed under the original \$50 fee.

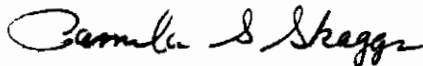
☒ **USDA Farm Service Agency (formerly ASCS) Aerial Photo** with irrigated acres outlined and point(s) of diversion clearly marked

Number 2.D of the Notice of Change in Water Right Ownership form describes the necessary documentation that must be submitted for rights for 10 or more acres of irrigation. Please provide an aerial photo with the irrigated acres outlined & points of diversion clearly marked.

Because the Department cannot process the ownership change or security interest notice without proper documentation & fees, we will hold any action on your notices pending receipt of the necessary information & fees. If we do not receive the necessary information & fees within 30 days we will return your notice and all attachments and your notices will not be processed.

Please note that water right owners are required to report any change in water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage (<http://www.idwr.state.id.us>) on the Internet to obtain the proper forms and instructions. Please feel free to contact the Department if you have any questions.

Sincerely,



Pamela S. Skaggs
Sr. Water Resource Agent

cc: Star Falls Farms