



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 3, 2005

STEVE REYNOLDS
CARL F REYNOLDS & SONS A GENERAL PARTNERSHIP
6184 W HOLLILYNN DRIVE
BOISE ID 83709

RE: Change in Ownership for Water Right Nos. 61-7207A, 61-7207B and 61-7306B

Dear Mr. Reynolds:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that additional information is required before we can process the change. The information required is described below.

Your notice with attachments provides evidence of ownership of a portion of the water rights listed. Transfer No. 69700 approved in May 2003 provided authorization to use the water rights for irrigation of 451 acres within a 1040-acre place of use. The water rights may have become an appurtenance to those lands through prior landowner agreements and the use of water authorized by the transfer approval. The documentation you provided shows evidence of ownership of 560 acres within that 1040-acre place of use. As originally submitted, the Department could only change the ownership of a proportionate share of the water rights to your name.

Based on discussions between you and Department staff, you also submitted a copy of a real estate agreement and a signed statement indicating that the sale of property included all three water rights (referenced above) in their entirety. The real estate agreement did not provide further clarification of the sale of the water rights. The signed statement does provide clarification of the intent by the seller; however, the statement is not a notarized or recorded document conveying the water rights and does not convey any interest by other property owners, if any, for the remaining 480 acres within the authorized place of use for the water rights.

The Department requires sufficient evidence of water right ownership before an ownership change can be processed. We will hold action on your notice to allow you time to review the matter and provide additional documentation as necessary.

Please feel free to contact me at 208-287-4948 or John Homan, legal counsel for the Department, at 208-287-4812 if you have any questions.

Sincerely,

Jeff Peppersack, Manager
Water Right Permits Section

JP:klt