



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

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RECEIVED

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DEPARTMENT OF
WATER RESOURCES

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 28, 2005

MARVIN &/OR GLORIA MORTENSON
HC 75 BOX 3545
NEW MEADOWS ID 83654

Re: Ownership Change for Water Rights Nos. 78-7109, 78-7324 and 78-10343

Dear Mr. and Mrs. Mortenson:

You filed an ownership change on the above referenced water rights last summer. The Idaho Department of Water Resources (IDWR) is now able to act on the change to update those records, changing the ownership from David and Carolyn Pitts to you.

Right Nos. 78-7109 and 78-10343 are older rights currently pending in the Snake River Basin Adjudication (SRBA). The SRBA process will result in an IDWR recommendation regarding those rights. Eventually the SRBA Court will act on those recommendations. Filing the ownership change as you did will ensure that you remain informed during this process. Ownership change fees were waived for those rights pending in the SRBA. You can expect to hear more from other IDWR staff on SRBA matters later this year.

Right No. 78-7324 is a younger right, also known as a water permit. The permit is outside of the SRBA scope and does not need to be reviewed by the Court. IDWR is currently in the process of licensing (validating) the permit. Because permits are personal property of the permit holder and not considered appurtenant to land, the ownership change form cannot be used to show a new permit owner. Instead, the current permit holder can assign the permit to you (\$25 fee). Enclosed is an assignment form that you can discuss with Pitts if you remain in contact with them.

Another option is available to update the permit if you are not in contact with the previous owner. You can wait for the permit to be licensed. A license is appurtenant to the land described by the license. At that point you can use an ownership change form to update the license (\$25 fee). This option will probably take quite a long time because IDWR licensing efforts are dedicated to supporting the SRBA process this year instead of issuing licenses for newer permits such as 78-7324. The permit file has been noted to notify you when the license is issued.

Marvin &/or Gloria Mortenson
June 28, 2005
Page 2

In summary, ownership updates for 78-7109 and 78-10343 will proceed. Other IDWR staff will contact you about that later this year. Ownership update for 78-7324 can proceed in the short run by a returning a completed assignment form or in the long run by filing a separate ownership change once the license is issued for 78-7324. Additional fees are not needed to update the permit under either of those options. This is due to the \$25 fee you paid last year when you filed the ownership change with IDWR. Please reference that payment under IDWR Receipt No. W032100 for either of the two options to update the permit.

More information about water rights and other matters administered by IDWR is available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you have any questions. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Lester", with a stylized, cursive script.

Steve Lester
Water Rights Supervisor

Enclosure