



IDAHO DEPARTMENT OF
WATER RESOURCES

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Governor Brad Little

Director Gary Spackman

February 6, 2023

PYLE-MCCLURE TRUST
PO BOX 469
RIGGINS ID 83549

RE: Water Right information

Dear Mr. Pyle:

You will find enclosed with this letter a copy of the license for right #79-14008. With a priority date of March 22, 2002, the right was too young to be put through the Snake River Basin Adjudication. The licensing made the water right an appurtenance to the land. That land apparently was the Prospectors Gold RV Park and may have been a single parcel at the time of the field inspection.

I understand from our phone conversations that three adjacent properties along the Salmon River formed a small homeowners association a few years ago. But the HOA did not take action to change the ownership of the water right to reflect that action.

In the summer of 2022, IDWR received and processed an ownership change submitted by David G Rainey and Laurie A Rainey for the portion of water right #79-14008. Two deeds with metes and bounds descriptions were submitted with their ownership change and documented the sale of their lot and supported a split of the original right. One deed was from the Lindsey Trust to Easy River Living. The second deed was from Easy River Living to the Raineys. Their split is water right #79-14299. It authorizes 1 acre of commercial use and 1 acre of irrigation use at a reduced but proportional diversion rate of 0.04 cubic feet per second (cfs) from two different wells.

The remaining portion of water right #79-14008 has been reduced from 5 acres of irrigation and 5 acres of commercial use to 4 acres of irrigation and 4 acres commercial use. Reduced right #79-14008 is still in the name of Gay Lindsey. It authorizes the reduced commercial and irrigation use on parcels owned by your neighbors Brown, Warren and on your property. The reduced diversion rate for #79-14008 is 0.15 cfs; down from 0.19 cfs. Water right #79-14008 is authorized to divert water from the same two wells as the Rainey's right.

I have enclosed a copy of the original license #79-14008 and several screenshots from the work I did on my computer. One screen shot shows the pedigree for #79-14008 and how the split right #79-14299 compares with the remnant of right #79-14008. Three other screen shots show: the PODs (points of diversion) and the places of use (POUs) for the two rights.

Both rights have the same two wells as their PODs. Shared wells are often problematic for their water users, and I recommend that you and the others who share these wells, draft a formal shared well agreement and record that agreement with the county.

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If Mr. Brown does not want to be included in the HOA, I recommend that he quit claim deed his portion of #79-14008 to the association. As owner of some land that was part of the original licensed POU, he could also split off a proportion of the right for his use alone. As another split of the original right, he would be restricted to using the same two wells and would further complicate the shared well issues that you are trying to simplify.

Best Regards,

Michele Edl

Enclosure(s)

SCANNED

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