

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**WATER DISTRICT NO. 37 & 37 M**

P.O. Box T  
Shoshone, Idaho 83352  
(208) 886-2451

RECEIVED

JAN 25 1994

Department of Water Resources



LEE R. PETERSON  
Watermaster

*Vault  
Water District 37 file -*

Norm Young  
State of Idaho  
Department of Water Resources  
1301 N Orchard St.  
Statehouse Mail  
Boise, Idaho 83720-9000

January 21, 1994

Dear Norm:

Please review this notice and advise us of any changes you think are necessary. We will include these with the billings so that everyone will receive a copy, and we will have them sent out this week.

Thank you for your help, it is greatly appreciated.

Sincerely,

Lee R. Peterson  
Watermaster

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**LEE R. PETERSON**  
Watermaster

*I called Lee suggesting this  
change 1/31/94*

**NOTICE ~~FOR~~ CLARIFICATION**

Earlier we sent out a notice to all water right owners advising them of the following Idaho Code.

IDAHO CODE 42-222 (2) All rights to the use of water acquired under this chapter or otherwise shall be lost and forfeited by a failure for the term of five (5) years to apply it to the beneficial use for which it was appropriated and when any right to the use of water shall be lost through non use or forfeiture such rights to such water shall revert to the state and be again subject to appropriation under this chapter; *add rest of statute*

~~In an effort to re clarify, If you own a water right and have not used it for five years before resuming use of this water right, contact the State of Idaho Department of Water Resources to affirm the validity of your right, to apply for an extension of time or to transfer the water right.~~ *If you own a water right, contact the State of Idaho Department of Water Resources to affirm the validity of your right, to apply for an extension of time or to transfer the water right. If you have any other questions contact our office.*

*Since the statute sets out the exceptions that DWR can currently affirm why not set forth the whole statute & tell them to contact DWR if they have or see their atty for more information.*

*I believe this is a problem. We cannot affirm the validity of the water right, & it still implies that forfeiture is readily avoidable even if they didn't use the water for 5 years.*