

# ADMINISTRATIVE MEMORANDUMS INDEX

*As of January 21, 2016*

*Please note that these Administrative Memorandums will include many memos that have become outdated due to changes in rules, statutes or current Department policy. Some memos have been amended or superseded by others, and some may no longer be applicable.*

| CLAIMS |   |         |                       |
|--------|---|---------|-----------------------|
| No.    | Title   | Signed  | Amended or Superseded |
| 1.     | <a href="#">Acceptable Form for Claim to a Water Right</a>              | 6-1-83  |                       |
| 2.     | <a href="#">Claims Submitted Pursuant to Section 42-243, Idaho Code</a> | 8-24-88 |                       |
| 3.     | <a href="#">Legal Advertisements</a>                                    | 1-30-89 |                       |



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**  
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS  
Governor

A. KENNETH DUNN  
Director

Mailing address:  
Statehouse  
Boise, Idaho 83720  
(208) 334-4440

ADMINISTRATOR'S MEMORANDUM

TO: Regional Offices and Water Allocation Section  
FROM: Norman C. Young *NCY*  
DATE: June 1, 1983  
RE: Acceptable Form for Claim to a Water Right

Claim Processing No. 1

As the fee increase for the Claims Program approaches, we can expect to receive many last-minute filings. The purpose of this memorandum is to verify that the following items, identified in Sections 42-243 and 42-221, Idaho Code, must be included on the claim to make it acceptable for advertising:

- a. The name and address of the claimant.
- b. The quantity of water claimed to have been used.
- c. The source of the water supply.
- d. The location of the point or points of diversion.
- e. The nature of use and period of use.
- f. The priority date.
- g. If water is claimed for irrigation, the legal description of the lands irrigated.
- h. The proper fee.
- i. A notarized signature.

Per an interpretation by our legal staff, if an incomplete claim is amended by the claimant and returned to our office in a timely manner, (e.g. sixty days), then the date of first receipt can be considered to be the filing date. Therefore, prior to returning incomplete claims, the claim should be dated and annotated, and a cover letter should be attached, as in the attached examples.

Regional Office Letterhead

Name & Address

Dear :

This office is in receipt of a Claim to a Water Right filed in your name. Please be advised that the claim cannot be formally receipted until the following information is provided:

- \_\_\_\_\_ Complete name.
  - \_\_\_\_\_ Complete mailing address.
  - \_\_\_\_\_ Date of priority.
  - \_\_\_\_\_ Source of water.
  - \_\_\_\_\_ Quantity claimed to have been used.
  - \_\_\_\_\_ Nature of use and period of use.
  - \_\_\_\_\_ Location of point(s) of diversion.
  - \_\_\_\_\_ Location of place of use (acres irrigated if water is claimed for irrigation).
  - \_\_\_\_\_ Filing fee.
  - \_\_\_\_\_ Signature.
  - \_\_\_\_\_ Notarization of signature.
  - \_\_\_\_\_ Other \_\_\_\_\_
- 
- 

Please note that your claim has been stamped and initialed as received. If you amend the claim by adding the needed information, and return the claim to this office no later than 60 days from the date of this letter, the original date submitted will be utilized for purposes of determining the appropriate filing fee.

Instructions for completing a Claim to a Water Right are included for your information. However, if you desire assistance, please feel free to contact this office.

Sincerely,

ADMINISTRATOR'S MEMORANDUM

To: Regional Offices Bureau and Operations Bureau  
From: Norman C. Young *Ncy*  
RE: CLAIMS SUBMITTED PURSUANT TO SECTION 42-243, IDAHO CODE  
Date: August 24, 1988 CLAIMS PROCESSING NO. 2

The opportunity to file a Claim to a Water Right under the provisions of Section 42-243, Idaho Code, for any use other than domestic purposes as defined in Section 42-230 (e), Idaho Code, ceased on June 30, 1988. Domestic use includes stockwater use within the terms of the definition.

If claims for uses other than domestic or stock are received after June 30, 1988, the claim and filing fee should be returned with an appropriate letter of explanation, since the claims are unacceptable under the provisions of the law.

Section 42-245, Idaho Code, addresses applicability of Section 42-243, Idaho Code, in areas being adjudicated.



**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

ADMINISTRATOR'S MEMORANDUM

To: Water Management Division  
From: Norman C. Young *NCY*  
RE: LEGAL ADVERTISEMENTS

Date: January 30, 1989

Application Processing No. 44  
Permit Processing No. 13  
Transfer Processing No. 11  
Claim Processing No. 3

Attached is a copy of Section 60-113, Idaho Code, which is self-explanatory.

In order to comply with the code section, the department should prepare its legal notices in compliance with paragraph (b) of the section. We can simply add a statement to our legal notice which states something like "For additional information concerning the property location, call \_\_\_\_\_ Regional Office at \_\_\_\_\_ (phone number)".

This change in our advertising procedure should be relatively easy to implement and should satisfy the requirements of Section 60-113, Idaho Code.

The recommended change has been selected since, most of the legal descriptions which appear in the notices prepared by the department do not have a related street address. In addition, most legal notices are prepared from the computer based data which can not readily accommodate the preparation of a legal notice which involves language such as "... which is located 2 miles West of the Mountain Home Air Force gunnery range and 5 miles south of the intersection of Simco Road and Interstate Highway 84".