

From: Fritschle, Carter
Sent: Thursday, May 28, 2009 4:27 PM
To: Daniel Parkinson
Subject: Priority Date for Notice of Claim to a Water Right 95-10260

Dear Mr. Parkinson:

The Idaho Department of Water Resources (IDWR) has completed initial processing of adjudication claim 95-10260 that you filed online. A review of your claim indicates the priority date claimed is in violation of the Mandatory Permit Statute for the irrigation portion of your claim. The permit system for establishing a water right became mandatory for uses developed from ground water after March 25, 1963 (except for domestic purposes as defined by Section 42-111, Idaho Code).

You stated the priority date claimed is based on the date your father passed away. If your father or an owner of the property before him had used water for irrigation purposes prior to March 25, 1963, it is likely a water right for irrigation purposes was established. If the first use of ground water on this property commenced after March 25, 1963, a domestic use, with up to ½ acre of irrigation and less than 13,000 gallons per day diversion volume can still be recommended under the definition of domestic use in Section 42-111, Idaho Code.

If you cannot establish an irrigation use from ground water prior to March 25, 1963, an application for permit can be found on IDWR's website at the following link:

http://www.idwr.idaho.gov/water/rights/PDFs/Application_for_Permit.pdf

The Instructions for this form are available at this link:

http://www.idwr.idaho.gov/water/rights/PDFs/INST_FOR_APP_FOR_PERMIT_10-10-2007.pdf

If you wish to amend adjudication claim 95-10260 to domestic use only, \$30.00 of the fee you paid for the adjudication claim on receipt T088402 can be applied to the application for permit.

Please contact me if you have any questions or would like me to send you an amended claim form.

Sincerely,

Carter Fritschle
Section Manager, Adjudication Bureau
Idaho Department of Water Resources
Carter.Fritschle@idwr.idaho.gov