



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

October 1, 2009

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

ELIJAH HILL
VIRGINIA HILL
10232 E NUNN RD
ATHOL, ID 83801

RE: Coeur d'Alene-Spokane River Basin Adjudication (CSRBA) Claim No. 95-10833

Dear Claimants:

The Idaho Department of Water Resources (IDWR) has completed the initial processing of adjudication claim 95-10833 that you filed online. A review of your claim indicates the priority date claimed for one of the two claimed water sources is in violation of the Mandatory Permit Statute. The permit system for establishing a water right became mandatory for uses developed from surface water after May 20, 1971 (except for watering stock directly from streams).

Your claim listed Instream Flow tributary to Sage Creek as one of the sources. IDWR will not be able to recommend that the CSRBA Court issue a decreed water right that includes that water source because a water right for the use of surface water was not previously established under the permit system. However, IDWR will be able to recommend your claim for domestic use from Ground Water, and you may apply for a water right for the surface water source by completing an application for permit. You may also choose to pursue both sources for your claimed water right through the CSRBA Court after your claim is reported in the Basin 95 Director's Report.

For your convenience, I am enclosing an Application for Permit form with instructions. You can also download the application as a "fillable" PDF file on IDWR's website:

http://www.idwr.idaho.gov/RulesStatutesForms/WaterRights/PDFs/Application_for_Permit.pdf

Please do not hesitate to contact me if you have any questions or would like to have the link to the form sent by email. I can be reached by phone during normal business hours at (208) 287-4917 or (800) 451-4129, or by email at Carter.Fritschle@idwr.idaho.gov.

Sincerely,

Carter Fritschle
Section Manager
Adjudication Bureau

Enclosure(s): Application for Permit form
Instructions for Application for Permit