



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

June 2, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

ROBERT GARNER
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BRYAN GARNER
ALSSYA SHELTON
19847 N GUNNING RD
RATHDRUM ID 83858

RE: Coeur d'Alene-Spokane River Basin Adjudication (CSRBA) Claim No. 95-11111

Dear Claimants:

The Idaho Department of Water Resources (IDWR) has completed initial processing of adjudication claim no. 95-11111 that you filed online. A review of your claim indicates the priority date claimed is in violation of the Mandatory Permit Statute for irrigation use from a ground water source. 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).

Because a water right was not previously established for the irrigation use under the permit system, IDWR will only be able to recommend the CSRBA Court issue a water right decree for the domestic use portion of your claim. While you may still choose to pursue this claim through the CSRBA Court, another option is to amend your claim and apply \$30.00 of the \$55.00 claim fee paid on Receipt No. T089259 towards the fee for an application for permit to acquire a water right for irrigation purposes through the permit system.

An amended claim form, a Request to Apply Excess Claim Filing Fees to Application for Permit form and an Application for Permit form with instructions are enclosed. You may also access the Application for Permit form as a "fillable" PDF file on IDWR's web site under Water Right Forms at the URL shown below.

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

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

Sincerely,

Carter Fritschle
Adjudication Section Manager

Enclosure(s): Amended Claim No. 95-11111
Request to Apply Excess Claim Filing Fees to Application for Permit
Application for Permit form
Instructions for Application for Permit