



## 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](http://www.idwr.idaho.gov)

C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Interim Director

May 26, 2011

DANIEL SILVAS  
KATHLEEN SILVAS  
5499 S MICA SPRINGS RD  
COEUR D ALENE ID 83814

RE: Coeur d'Alene-Spokane River Basin Adjudication (CSRBA) Claim No. 95-12428

Dear Claimant(s):

The Idaho Department of Water Resources (IDWR) has completed initial processing of adjudication claim 95-12428 that you filed online. Initial review of your claim indicates the priority date claimed is in violation of the Mandatory Permit Statute for the claimed water source. 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).

Because a water right was not previously established for this water use under the permit system, IDWR will not be able to recommend that the CSRBA Court issue a decreed water right for your water use. While you may still choose to pursue this claim through the CSRBA Court, another option is to withdraw your claim and apply the \$25.00 claim fee paid on Receipt No. T090716 towards the fee for an application for permit to acquire a water right through the permit system for this water use.

In addition you may amend your claim for domestic use only from the groundwater source, claiming the date the well was completed as your priority date.

An Application for Permit form with instructions is enclosed. You may also access the Application for Permit form as a "fillable" PDF file on IDWR's website under Water Right Forms at the URL shown below.

[http://www.idwr.idaho.gov/RulesStatutesForms/WaterRights/PDFs/Application\\_for\\_Permit.pdf](http://www.idwr.idaho.gov/RulesStatutesForms/WaterRights/PDFs/Application_for_Permit.pdf)

Please do not hesitate to contact this office if you have any questions or concerns.

Sincerely,

Lori Harris  
Technical Records Specialist 2  
Adjudication Section

Enclosure(s): Application for Permit form w/instructions  
Request for Withdrawal of Claim