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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

May 26, 2011

NEIL FITZSIMMONS
KAY FITZSIMMONS
7779 W CARNIE RD
COEUR D ALENE ID 83814

RE: Coeur d'Alene-Spokane River Basin Adjudication (CSRBA) Claim No. 95-12437 Violation of the Mandatory Permit Statute

Dear Claimants:

The Idaho Department of Water Resources (IDWR) is currently in the process of reviewing adjudication claims in your area. Initial review of your claim indicates the priority date claimed is in violation of the Mandatory Permit Statue for the water source and purpose of use claimed.

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), and for uses developed from surface water after May 20, 1971 (except for watering stock directly from streams).

The priority date claimed indicates that use of water for the purposes claimed began after March 25, 1963, for ground water. Because a water right was not previously established under the permit system, an "Application for Permit" form should be filed instead of this claim. The adjudication claim fee you paid can be applied to the fee for the application for permit.

You may want to amend your claim for domestic and stockwater use only, 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

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

Sincerely,

Lori Harris

Lori Harris
Technical Records Specialist 2
Adjudication Section

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