



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

May 31, 2011

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

EVERWELL BAY LLC
1417 SIERRA VISTA DR
ASPEN CO 81611

RE: Coeur d'Alene-Spokane River Basin Adjudication claim 95-12583 Violation of the Mandatory Permit Statute

Dear Claimant(s):

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 Statute 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 May 20, 1971, for surface 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.

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
Technical Records Specialist 2
Adjudication Section

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