



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

February 9, 2012

STEVE P MALONE
J GAIL MALONE
10 BLAKE CREEK RD
ST MARIES ID 83861

RE: Coeur d'Alene-Spokane River Basin Adjudication (CSRBA) Claim Nos. 95-15178 & 95-15179

Dear Claimant(s):

The Idaho Department of Water Resources (IDWR) is in the process of reviewing claims in your area. Initial review of your claims indicates the priority date claimed is in violation of the Mandatory Permit Statute for the claimed surface 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 these claims through the CSRBA Court, another option is to withdraw your claims and apply the claim fee paid towards the fee for an application for permit to acquire a water right for the claimed purposes through the permit system.

In addition you may amend your claims 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

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