

From: Fritschle, Carter
Sent: Friday, April 12, 2013 2:18 PM
To: 'meylesc@gmail.com'
Subject: Unclaimed Water Right 95-8465

Dear Mr. Melye:

Thank you for responding to the Notice of Second Round Service for Basin 95. Only one priority date may be entered per Notice of Claim to a Water Right in the Coeur d'Alene-Spokane River Basin Adjudication (CSRBA). Therefore, only water right 95-7165 is considered claimed in the CSRBA since water rights 95-7165 and 95-8465 have different priority dates, and it would require two claims to file on both rights.

But as you pointed out, water right 95-8465 did not add any diversion rate or volume to the water use described under water right 95-7165, so not having a CSRBA claim for water right 95-8465 will not diminish the amount of water appropriated by Conkling Park Water Association, Inc. However, Idaho code 42-1408A(4) and an order from the CSRBA Court required the Notice of Second Round Service be sent to you for water right 95-8465.

Once the investigation of claims in Basin 95 is complete, a Director's Report will be filed with the CSRBA Court that will include a recommendation for water right 95-7165. That Director's Report will also include a listing of unclaimed water rights such as 95-8465. I know this process appears to be redundant in many ways, but it is necessary to insure everyone has the opportunity to file claims for water rights that otherwise will be decreed as disallowed in the CSRBA.

Please contact me if you have any questions or need further clarification.

Sincerely,

Carter Fritschle
Adjudication Section Manger
Idaho Department of Water Resources