



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 FAX: (208) 762-2819 www.idwr.idaho.gov

February 5, 2014

C.L. "BUTCH" OTTER
Governor

KIM GITTEL
C/O MARK & DEBORAH SMITH
PO BOX 3192
COEUR D'ALENE ID 83816

GARY SPACKMAN
Director

RE: Coeur d'Alene-Spokane River Basin Adjudication Claim No. 94-8875. Violation of the
Mandatory Permit Statute – SECOND REQUEST

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, from 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

I've also included a change of ownership form, in case you no longer own this property. Please return the forms to my attention, at the address listed above as soon as possible, and be sure to contact me if you have any questions or concerns. You can also email me at linda.werner@idwr.idaho.gov.

Sincerely,

Linda A. Werner
Water Resource Agent

Enclosure(s): Application for Permit form w/instructions
Request for Withdrawal of Claim
Notice of Change in Water Right Ownership
Copy of Claim Number 94-8875