



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

October 28, 2014

LEW S & GRETCHEN C AASGARD TRUST  
11463 HWY 5  
SAINT MARIES ID 83861

RE: Coeur d'Alene-Spokane Basin River Adjudication  
Amendment of Claim 95-15003

Dear Ms. Aasgard,

Per our telephone conversation on October 27, 2014, I am sending you several items:

**Item 1:**

Amended claim for 95-15003 and map: I have highlighted in yellow additions I have made. A couple points:

- I added a second "Point of Diversion" because each pond "catches" the water and therefore represents a point of diversion.
- I added "stockwater storage" as a purpose of use as we discussed on the phone. You will see I added a diversion volume of 0.3 AFA (acre-feet per annum). I reached this number by multiplying the surface area of both ponds (0.1 acres according to GIS) by the maximum depth of 5 feet with a 60% slope:  
$$(0.1 \text{ Acre})(5 \text{ ft})(0.6) = 0.3 \text{ acre-feet}$$
- You will see that I crossed out "Ponds" as a source because the ponds just capture the water. The source is the unnamed stream carrying the runoff.

Look over this claim and make any changes you wish. This is your claim, not mine, so make sure you agree with the changes and it represents what you feel your water use is. When satisfied, initial your changes, sign the claim, and mail it back to me in the included envelope.

**Item 2:**

Please Identify house well on map for 95-15004: As we discussed, please mark the location of the house well on the map attached to amended claim 95-15003 and return it to me with the amended claim. The house well is claimed under 95-15004 but since 95-15003 is in the same area, I thought we could use the same map. Identifying the well location on the map will ensure that I place the point of diversion (well) in the correct spot when I make the recommendation for 95-15004.

**Item 3:**

Preliminary Recommendation for 95-4663: The preliminary recommendation is what I plan to recommend to the court. There shouldn't be anything surprising in the recommendation. Probably the main changes

you will see are the conditions added to the recommendation, specifically, the condition limiting the daily diversion to 13,000 gallons per day and the condition saying that the quantity of water isn't a determination of historical beneficial use.

- The 13,000 gallon per day limit comes from the domestic definition described in Idaho Code 42-111 and is essentially saying that this water use meets the criteria of a deferrable domestic and/or stock water use.
- The "... *not a determination of historical beneficial use.*" condition is saying that IDWR hasn't actually measured the water use.

*You will see both of these conditions on the recommendations for 95-15003 and 95-15004 as well once they are completed.*

Look over the recommendation and the map for 95-4663, and if the point of diversion (well location) is off, please mark the map showing the correct location and mail it back to me with the amended claim.

This is a lot of information to cover so don't hesitate to call me if you have any questions or want to talk things through. In addition, e-mail is a quick and easy way for me to communicate with you and send maps and documents so please feel free to e-mail me as well if you find that easier.

Respectfully,



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