



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815-7763
Phone: (208) 762-2800 • Fax: (208) 762-2819 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 23, 2014

DAVID & JOAN LINDSAY FAMILY TRUST
252 GARNET DR
ST MARIES ID 83861-9101

SUBJECT: Notice of Error Reply on Notice of Claim to a Water Right Number 91-7179

RESPONSE DEADLINE
DATE: January 15, 2015

Dear Mr. or Ms. Lindsay:

We have received your Notice of Error Reply indicating that you wish to change the recommended priority date from March 24, 2006 to December 1, 1995. This Notice of Claim is based on a licensed water right and, consequently, we are unable to recommend the claim with an earlier priority date. However, you may claim an earlier priority date by filing a second claim, which would be based on beneficial use.

For your convenience, I have completed a Notice of Claim listing the priority date as December 1, 1995, and if you would like to make this claim, sign and date under item 15, and return to my attention by the response date noted above. All other aspects of the claim are the same as was licensed except I did add in the parcel number of the property where the water usage takes place. There is a fee to file the claim, and that is \$25.00. You will then have a licensed water right with a priority date of March 24, 2006 and, once recommended, a water right claim with a priority date of December 1, 1995.

Please feel free to contact me if you have any questions or concerns. I can be reached at (208) 762-2802 or by email at linda.werner@idwr.idaho.gov.

Sincerely,

Linda A. Werner
Water Resource Agent, Sr.

Enclosure: Draft Notice of Claim to a Water Right
Copy of Licensed Water Right Number 91-7179

COPY

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE COEUR D'ALENE-SPOKANE RIVER
BASIN WATER SYSTEM

CIVIL CASE NUMBER: 49576

ID Number: _____

Date Received: _____

Receipt No: _____

Amount: _____ By: _____

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

For domestic and/or stockwater purposes where
daily use is less than 13,000 gallons per day

Please type or print clearly

- Name of claimant(s) DAVID & JOAN LINDSAY FAMILY TRUST Phone (208) 245-9407
Mailing address 252 GARNET DR ST MARIES ID ZIP 83861-9101
Street or Box City State
- Date of priority (only one (1) per claim) DECEMBER 1, 1995
Month/Day/Year (yyyy)
- Source of water supply (check one) Ground Water (x) or Other () (a) _____
which is tributary to (b) _____
- Location of point of diversion is: Township 46N, Range 03W, Section 2,
NE 1/4 of NW 1/4, or Govt. Lot 3, B.M., County of BENEWAH
Parcel (PIN) no. RP46N03W022400A
Additional points of diversion, if any: _____
If available, GPS coordinates _____
- Description of diverting works (wells, pumps, spring boxes, pipelines, etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.

- Water is claimed for the following: (Limited to domestic and/or stockwater uses. See page 1 of the instructions.)
For DOMESTIC purposes from 01/01 to 12/31 amount 0.02 cfs (x) AFY ()
For _____ purposes from _____ to _____ amount _____
- Total quantity claimed 0.02 cfs (x) or AFY ()
- Non-irrigation uses; describe fully (e.g. Domestic: give number of households served if single ownership; Stockwater: type and number of livestock, etc.): ONE HOME

9. Location of place of use is: Township 46N, Range 03W, Section 02, NE 1/4 of NW 1/4, or Govt. Lot 03, B.M., Parcel (PIN) no. (if different than shown in Item 4) _____

For (check one) ☒ Domestic ☐ Stock ☐ Domestic and Stock ☐

Additional places of use, if any: _____

10. In which county(ies) are lands listed above as place of use located? BENEWAH

11. Do you own the property listed above as place of use? Yes ☒ No ☐

If your answer is no, describe in remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

91-7179 _____ or None ☐

13. Remarks:

14. Basis of claim (check one) Beneficial Use ☒ Posted Notice ☐ License ☐ Permit ☐ Decree ☐

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable, provide IDWR water right number _____

15. Signature(s)

a. By signing below, I/we acknowledge that I/we have received, read and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication".

b. I/We do ☐ do not ☐ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For individuals:

We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of claimant(s) _____ Date: _____

Date: _____

For organizations:

I do solemnly swear or affirm under penalty of perjury that I am

Title of _____ Organization

that I have signed the foregoing document in the space below as

Title of _____ Organization

and that the statements contained in the foregoing document are true and correct.

Signature of authorized agent _____ Date _____

Title and organization _____

16. Notice of appearance:

Notice is hereby given that I, _____, will be acting as attorney at law of behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____ Date _____

Address _____

COPY