



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

February 26, 2015

PAUL SMITH
ELLEN SCRIVEN
16114 E KILLARNEY LAKE RD
CATALDO ID 83810

RE: Coeur d'Alene-Spokane River Basin Adjudication (CSRBA) Claim Numbers 94-8050 & 94-8051

RESPONSE DEADLINE
DATE: APRIL 3, 2015

Dear Mr. Smith or Ms. Scriven:

The Notices of Claim to a Water Right (claim) identified with the numbers shown above have been filed in the Coeur D'Alene-Spokane River Basin Adjudication. The claims indicate your water usage is based on "Beneficial Use". Water rights of this type are established by the historic use of water, dating back to when water was first used for the purpose claimed, and are termed beneficial use rights. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. Since the priority date and historic use of a beneficial use right cannot be confirmed by field examination, proof must be provided by the claimant supporting the priority date claimed and the historic use of the water.

Enclosed you will find the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. One example is the enclosed copy of "taxlot data" which is information obtained from the Assessor's office and is often used to support a "first usage" date for domestic usage as this date generally reflects the building of a home on the property.

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). If this is the situation for your water usage, I have also enclosed an "Application for Permit" form which should be filed instead of the claim. The adjudication claim fee you paid can be applied to the fee for the application for permit.

Please return the required evidence supporting the priority date and the historic use by the date shown above, to my attention. We will be submitting Director's Reports to the Adjudication Court within the next several months and we want to be able to recommend this claim for preliminary decree in a timely manner. I can be reached at (208) 762-2802 or by email at linda.werner@idwr.idaho.gov if you have any questions.

Sincerely,

Linda A. Werner
Water Resource Agent, Sr.

Enclosure: Evidence of Priority Pamphlet
Copy of Claim Numbers 94-8050, 94-8051
Application for Permit w/Instructions
Taxlot Data