



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 11, 2015

93-07655
OLSON LIVING TRUST
1000 INDIAN CREEK RD
TENSED ID 83870

RE: EVIDENCE OF PRIORITY

Dear Claimant(s):

The Idaho Department of Water Resources is currently in the process of reviewing water right claim **93-7655** filed in the Coeur d'Alene-Spokane Basin Adjudication (CSRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a license, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some examples of Documents Which May Be Evidence of the Priority Date**".

It is our goal to recommend historical water rights within the CSRBA as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

.....
The Department can not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.
.....

Please submit the documentation supporting the priority date by **March 13, 2015, referencing all documents with the corresponding Notice number.** If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact me at (208) 287-4916.

In addition, I have also enclosed a couple of maps:

- 1) **Claim Map:** This is a map that shows what IDWR has on our database as the claimed Place of Use (POU) and Point of Diversion (POD) locations (This is the map with the yellow outline).
- 2) **Google Earth Images:** There are two images that show the claimed place of use from an angle that shows elevations.

I am sending you all these maps because it is my assumption, that what IDWR has on file for the claimed place of use might not be accurate. Please feel free to make any changes on any of the maps by drawing in the actual POU and POD locations. In addition, if you could draw in the delivery system showing how the water gets to the place of use, it will help ensure that IDWR accurately describes your water use. Please return the altered maps with your Evidence of Priority. Any information you could provide would be really helpful in accurately describing your water right.

Please contact me with any questions.

Respectfully submitted,



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Enclosures: Notice of Claim 93-7655 Proof Report
 Claim Map
 Google Earth Maps
 Brochure on "Evidence of Priority"

State of Idaho
Department of Water Resources

Claimed Place of Use and Point of Diversion

93-7655

04W



0 0.05 0.1 0.2 Miles

● Point of Diversion

□ Place Of Use Boundary

□ Townships

□ PLS Sections

□ Quarter Quarters

The outline in yellow is what IDWR has on record as the claimed Place of Use (POU). If different, please draw in the actual POU boundary. The yellow dot is identified as the claimed Point of Diversion. If different, please identify the actual POD location (where water is diverted from the natural source).

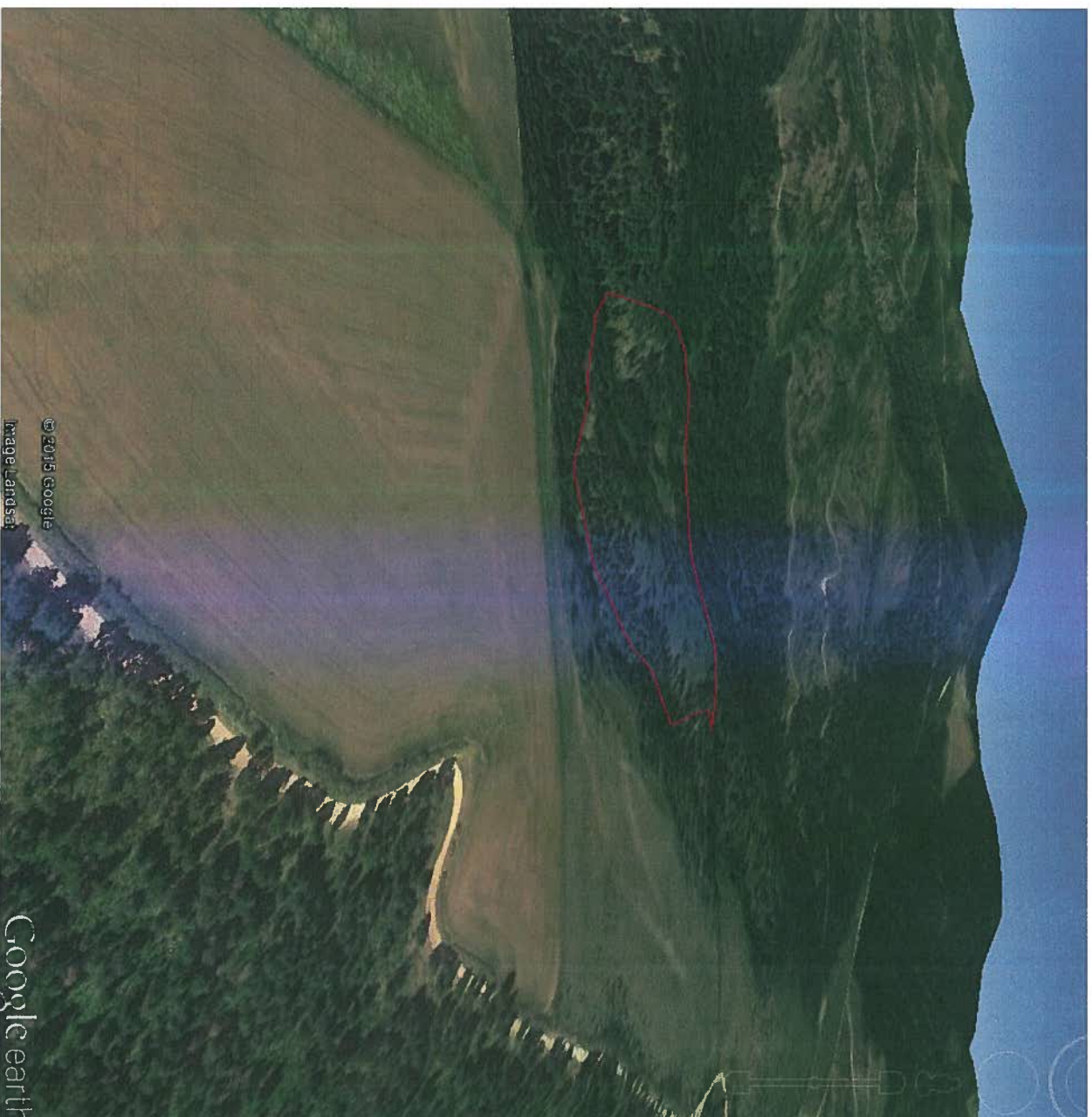
Please return the map with your updates along with the required Evidence of Priority.

Prepared By: Craig Saxton

Prepared On: February 11, 2015







This map shows a rough outline of the claimed place of use drawn over a Google earth image. The image was then rotated so you can see the elevation features.

What has caught my attention is it appears that 93-7655 claims irrigation on the hillside dating back to 1964.

This is possible with sprinkler irrigation of course, but I guess I am thinking it is more likely that what IDWR has on file as the claimed place of use, isn't accurate.

It seems to me that the area to the left of the red outline may be more likely to be what was intended to be claimed as the irrigated place of use. However, the question then is, how do you get the water over the hill to irrigate the filed.

Any information you can provide to explain the delivery system would be greatly appreciated. You can submit that with the Evidence of Priority.