



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Direct

April 20, 2015

SNOWSTORM ENTERPRISES LLC
PHILIP HENDRICKSON
1332 OREGON DR
CONCORD CA 94521

RE: Evidence of Priority Date Claim No(s): 94-8921, 94-8922, 94-8923
Place of Use: 94-8923

RESPONSE DEADLINE
DATE: MAY 7, 2015

Dear Mr. Hendrickson:

The Notices of Claim to a Water Right identified with the numbers shown above have been filed in the Coeur D'Alene-Spokane River Basin Adjudication, also known as Phase 1 of the Northern Idaho Adjudication (NIA). The claims indicate your water usage is based on "Beneficial Use" or "Statutory Claim". 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.

PLEASE NOTE: This is our second request for the evidence of priority. Our first request was on February 1, 2012. IDWR may recommend the NIA Court decree the claim disallowed if no evidence of the priority date and of the historic use is submitted. It will be to your advantage to provide clear and convincing evidence.

Also, a portion of the place of use outlined on Notice of Claim number 94-8923 for irrigation from the unnamed stream (aka Icehouse Creek) appears to be on property owned by Hecla Limited. Is this correct? If not, I have enclosed a map showing the places of use and a copy of the claim and ask that you amend the claim listing the correct place of use and show its location on the map. Please be sure to initial and date any changes that you make on the claim form.

Please submit the required evidence supporting the priority date and the historic use by the date shown above, along with the map and amended claim, to my attention. Feel free to contact me if you have any questions.

Sincerely,

Linda A. Werner
Water Resource Agent, Sr.

Enclosures: Evidence of Priority Pamphlet
Copy of Claim Numbers 94-8921, 94-8922 and 94-8923
Map