



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 26, 2015

MICHAEL K BRANSTETTER
HULL & BRANSTETTER CHARTERED
PO BOX 709
WALLACE, ID 83873

Re: Coeur d'Alene-Spokane River Basin Adjudication (CSRBA) Notice of Claim No. 94-4235

Dear Mr. Branstetter:

Thank you for your letter dated June 27, 2014. It provides some very useful information concerning the more recent activity associated with the Gold Creek Mines' property described in CSRBA Claim No. 94-4235. However, more information is required to establish the extent of the historical use of water on the property in order to support the claimed 2.04 cfs with a January 1, 1954 priority date. I have enclosed a brochure titled "Evidence of Priority" that describes the types of evidence required and suggests which documents will fulfill this requirement.

In addition to providing the documentation for the historic beneficial use, we also need more information than was contained in your letter dated June 27, 2014. The enclosed questionnaire must be completed for a mining operation that is not currently using water to the full extent that it was used when the water right originated. Please complete the questionnaire and return it along with supporting documents to the address below no later than June 30, 2015:

Idaho Department of Water Resources
Adjudication Section
PO Box 83720
Boise, ID 83707-9815

Supporting documentation for the information should include:

1. A history of the price of the mineral(s) produced at the mine.
2. A copy of a mineral assay or an affidavit by an expert who has reviewed a mineral assay for the property that confirms a valuable mineral exists on the property.
3. A document that shows the ownership of the mineral rights on the property.
4. If the property where the water use is claimed is an unpatented mining claim, provide evidence that the annual maintenance fees for the mining claim have been paid.
5. Documentation that shows the property has been maintained for future mineral production. This could include maintenance of infrastructure and equipment from prior mining operations.

If you have any questions or need additional information, please contact me at: (208) 287-4917 or Carter.Fritschle@idwr.idaho.gov

Sincerely,

Carter Fritschle
Adjudication Section Manager
Idaho Department of Water Resources

Enclosures: Copy of claim no. 94-4235
Evidence of Priority Brochure
Exceptions to Forfeiture for Mining Questionnaire – Section 42-223(11), Idaho Code

Exceptions to Forfeiture for Mining Questionnaire – Section 42-223(11), Idaho Code

This questionnaire should be used as a guide to provide evidence supporting an exception to forfeiture. Each answer will need to have corresponding documents and/or affidavits.

List the adjudication claim number(s) in which an exception to forfeiture under Section 42-223(11), Idaho Code is sought:

1) Enter the name of the mine or property in which the water claimed above was historically used. (All of the following questions will refer to the mine or property named below.)

2) When was the mining, mineral processing or milling at the mine or property suspended?

3) Described the reason(s) the mining, mineral processing or milling of minerals at the mine or property was suspended or the mine was closed?

4) Does the mine or property have one or more valuable minerals as defined in Section 47-1205, Idaho Code? If so, please list the mineral(s).

5) Please provide a history of the price of the mineral(s) at the mine or property?

6) Explain how the property and mineral rights have been maintained for future mineral production at the mine or property?

Please print name and title of person completing this questionnaire

Date

Signature of person completing this questionnaire