



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

April 14, 2015

NOEL P LAUFENBERG
23132 S HWY 3
CATALDO ID 83810

SUBJECT: Notice of Claim to a Water Right Number 94-8236

Dear Mr. Laufenberg:

In regard to our recent conversation regarding the Notice of Claim to a Water Right listed above; there are several items which I need to bring to your attention:

1. Priority Date (item 2): The project map you submitted to support the pond built date of October, 1939, may be sufficient to show that stock were drinking from the pond at that time; however, we will need more evidence of the first usage date showing when the irrigation began. I'm enclosing a brochure entitled "Evidence of Priority" which explains the type of evidence which may be used.

Please note - The permit system for establishing a water right became mandatory for uses developed from surface water after May 20, 1971, (except for watering stock directly from streams). Consequently, if the irrigation usage began after that date than you may file an application for permit to establish a new water right. Should this be the case I've enclosed a permit application form and instructions for filing.

2. The source of water (item 3) is listed as ground water. This would apply in the case of a well. For a pond diversion, the source should be listed as unnamed pond.
3. Instream Flow (item 4b) Instream Stockwatering is the type of water usage which needs to be filed on a separate claim form. It is also the type of water usage for which a claim to a water right is not required. However, if you choose to file, I've enclosed a blank form, with instructions. The cost of this claim would be \$25.00.
4. Item six: Under irrigation purposes you listed a water quantity of 8 acre-feet. For this type of source, we will need a flow rate (cubic feet/second[cfs]) rather than a volume amount. Most water rights have 0.02 cfs for each irrigated acre but systems irrigating 5 acres or less may have 0.03 cfs per acre.
5. Item 9 - Description of place of use. Please show where the stock water usage is located.

I have enclosed a copy of claim 94-8236. Please initial and date any changes and return to my attention **as soon as possible before May 15, 2015**. Feel free to contact me at (208) 762-2802 if you have any questions.

Sincerely,

Linda A. Werner
Water Resource Agent, Sr.

Enclosures: Copy of Claim Number 94-8236
Application for Permit W/Instructions
Notice of Claim to a Water Right W/Instructions