

COPY



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

September 9, 2015

RMH2, LLC
512 S ROCKY POINT CT
POST FALLS, ID 83854

RE: Notice of Error Reply for Coeur d'Alene-Spokane River Basin Adjudication (CSRBA) Claim No. 94-9124

Dear Claimant,

The Idaho Department of Water Resources has reviewed the Notice of Error Reply for the above referenced water right claim. We are unable to make the requested changes to the water right claim recommendation for the following reasons.

The Notice of Claim to a Water Right dated October 17, 2012 was filed by RMH2 LLC on the basis of beneficial use within 3 homes with a claimed priority date of December 31, 1946. The newly constructed boat house was not present on the property at the time Claim No. 94-9124 was filed and cannot be added to this water right claim. Furthermore, the continued use of diverted surface water in the boathouse is in violation of the mandatory permit statute for that water source. 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). Because a water right for use within the boathouse was not previously established under the permit system, an "Application for Permit" form should be filed instead of amending this claim.

For your convenience, I have enclosed an Application for Permit form. If you need assistance applying for the permit, please contact our water allocation personnel at the Northern Regional Office during business hours at 208-762-2800.

Sincerely,

A handwritten signature in black ink, appearing to read 'Evan W. Roda'.

Evan W. Roda
Senior Water Resource Agent
Northern Region

Enclosure(s): Application for Permit, Instructions for Filing an Application for Permit

SCANNED
SEP 09 2015