

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

SANDRA HAMMER
LARRY HAMMER
PO BOX 397
MURRAY, ID 83874

RE: Notice of Error Reply for Coeur d'Alene-Spokane River Basin Adjudication (CSRBA) Claim No. 94-8289

Dear Claimant(s),

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 September 2, 2011 was filed on the basis of beneficial use for three households with a claimed daily diversion volume of 2,500 gallons. These three homes are located within the Murray Subdivision and are diverting water from a shared well. Section 42-111(1)(b), Idaho Code, allows for the three homes to be claimed under the same water right, but also limits the maximum diversion rate to 0.04 CFS with a maximum diversion volume of 2,500 gallons per day. Additionally, one of the claimed homes is being utilized as a Bed and Breakfast facility which constitutes a commercial property. This further supports the maximum allowable volume under this water right to a limit of 2,500 gallons per day, as dictated by Idaho Statute. If additional water is needed for use at these locations, you will need to file an Application for Permit.

For your convenience, I have enclosed an Application for Permit with instructions. If you have any questions, please contact our staff at the Northern Regional Office during business hours at 208-762-2800.

Sincerely,

A handwritten signature in blue 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
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GARY SPACKMAN
Director

September 9, 2015

RONALD JASA
PO BOX 424
MURRAY, ID 83874

RE: Notice of Error Reply for Coeur d'Alene-Spokane River Basin Adjudication (CSRBA) Claim No. 94-8289

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 September 2, 2011 was filed on the basis of beneficial use for three households with a claimed daily diversion volume of 2,500 gallons. These three homes are located within the Murray Subdivision and are diverting water from a shared well. Section 42-111(1)(b), Idaho Code, allows for the three homes to be claimed under the same water right, but also limits the maximum diversion rate to 0.04 CFS with a maximum diversion volume of 2,500 gallons per day. Additionally, one of the claimed homes is being utilized as a Bed and Breakfast facility which constitutes a commercial property. This further supports the maximum allowable volume under this water right to a limit of 2,500 gallons per day, as dictated by Idaho Statute. If additional water is needed for use at these locations, you will need to file an Application for Permit.

For your convenience, I have enclosed an Application for Permit with instructions. If you have any questions, please contact our staff 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', is written over a horizontal line.

Evan W. Roda
Senior Water Resource Agent
Northern Region

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

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DAVID E NIBARGER
PO BOX 424
MURRAY, ID 83874

RE: Notice of Error Reply for Coeur d'Alene-Spokane River Basin Adjudication (CSRBA) Claim No. 94-8289

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 September 2, 2011 was filed on the basis of beneficial use for three households with a claimed daily diversion volume of 2,500 gallons. These three homes are located within the Murray Subdivision and are diverting water from a shared well. Section 42-111(1)(b), Idaho Code, allows for the three homes to be claimed under the same water right, but also limits the maximum diversion rate to 0.04 CFS with a maximum diversion volume of 2,500 gallons per day. Additionally, one of the claimed homes is being utilized as a Bed and Breakfast facility which constitutes a commercial property. This further supports the maximum allowable volume under this water right to a limit of 2,500 gallons per day, as dictated by Idaho Statute. If additional water is needed for use at these locations, you will need to file an Application for Permit.

If you would like to add Betty Nibarger to this water right claim, you will also need to submit an amended Notice of Claim to a Water Right form with her name added as an additional claimant. For your convenience, I have enclosed the amended Notice of Claim to a Water Right form, and also an Application for Permit with instructions. If you have any questions, please contact our staff 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): Amended Notice of Claim to a Water Right for CSRBA Claim No. 94-8289, Application for Permit, Instructions for Filing an Application for Permit

SCANNED

SEP 09 2015