



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

September 22, 2015

94-9224
ROBERT LOWE
EAGLE CITY MINING COMPANY, LTD
16405 N RAMSEY RD
RATHDRUM ID 83858

Re: Evidence of Priority Date

Dear Claimant:

The Notice of Claim to a Water Right (claim) identified with the number shown above your name was filed online in the Coeur d'Alene-Spokane River Basin Adjudication (CSRBA). The claim indicates your water usage is based on "Beneficial Use" or a "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 or purposes claimed, and are termed beneficial use rights.

Before a claim based on beneficial use can be recommended to the CSRBA Court as a valid water right, Idaho Department of Water Resources (IDWR) is required to investigate the claim. It is essential that the historical use of the water be documented. This letter serves as a request for documentation of the date of first use, or priority date of your claim, and the extent of the historical beneficial use of the water. If you have not supplied documentation for the priority date and historical beneficial use of the water, please submit your evidence by October 30, 2015. Enclosed you will find a pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: IDWR will recommend the CSRBA Court decree the claim disallowed if the priority date and the historic use cannot be documented. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statements should be in the form of notarized affidavits.

If you have questions not covered by this letter or the enclosed pamphlet, please contact at (208) 287-4917 or by email at Carter.Fritschle@idwr.idaho.gov.

Sincerely,


Carter Fritschle
Adjudication Section Manager

Enclosure:

Evidence of Priority Date pamphlet
Copy of Notice of Claim