

COPY



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815-7763
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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 21, 2015

ALFRED CLARK NOLAN
5834 S STONY ISLAND AVE APT #5-C
CHICAGO, IL 60637

RE: Notice of Error Reply for Coeur d'Alene-Spokane River Basin Adjudication (CSRBA) Claim No. 94-9390

Dear Claimant,

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

The Notice of Error Reply submitted to our office requested a correction of the listed quarter quarters in the described place of use location. This error was confirmed and corrected in an updated preliminary recommendation. In your Notice of Error Reply you also requested that the source description be changed from "unnamed stream, tributary to Black Lake" to "unnamed stream, tributary to sinks". This change cannot be made to the recommendation, as our topography maps on record depict an intermittent stream channel flowing from the southeast end of the pond down the hill to the unnamed stream below, which then runs northeast into Black Lake. The map submitted to our office as evidence, received April 16, 2015, also depicts this intermittent stream channel below the pond.

Through the research of this water rights claim, it was also discovered that no CSRBA claim or application for permit has been submitted for the storage of water in the manmade pond. If no claim or application for permit is submitted for this use, the retention of water within the pond could be deemed illegal. It is advisable that you either submit an additional water right claim for this water storage or file an "Application for Permit". Evidence submitted with a claim for the pond storage must show that it was constructed prior to May 20, 1971, or you will be required to apply for a water use permit.

I have enclosed a copy of the updated preliminary recommendation of the CSRBA Water Right Claim 94-9390 for your records. If you have any further 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

SCANNED
OCT 21 2015

Enclosure: Preliminary Recommendation of CSRBA Water Right Claim 94-9390