



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

November 2, 2015

RICHARD R HALL
STOEL RIVES LLP
101 S CAPITOL BLVD STE 1900
BOISE, ID 83702

Re: Coeur d'Alene-Spokane River Basin Adjudication (CSRBA) Notice of Claim Nos. 94-2071, 94-4003 and 94-4218

Dear Mr. Hall:

The Idaho Department of Water Resources (IDWR) is required to examine the use of the water diverted and claimed in a general water right adjudication such as the CSRBA. This involves the verification of all of the elements of the water right claimed, and the extent of the beneficial use of the water must be determined. Because water has not been used for the purpose(s) claimed on the notice of claim referenced above for a period of five or more years prior to March 25, 2008, IDWR will attempt to determine if the water use claimed qualifies as an exception to forfeiture under Section 42-223(11), Idaho Code. Please complete the enclosed questionnaire (one for each mining operation or location) along with supporting documents to the address below no later than December 11, 2015:

Idaho Department of Water Resources
Adjudication Section
PO Box 83720
Boise, ID 83707-9815

Supporting documentation should include:

1. A history of the price of the mineral(s) produced at the mine.
2. A copy of a mineral assay or an affidavit by an expert who has reviewed a mineral assay for the property that confirms a valuable mineral exists on the property.
3. A document that shows the ownership of the mineral rights on the property.
4. If the property where the water use is claimed is an unpatented mining claim, provide evidence that the annual maintenance fees for the mining claim have been paid.
5. Documentation that shows the property has been maintained for future mineral production. This could include maintenance of infrastructure and equipment from prior mining operations.
6. Please also enclose a map showing the location of any current mining activity or water use.

If you have any questions or need additional information, please contact me at: (208) 287-4917 or Carter.Fritschle@idwr.idaho.gov

Sincerely,

Carter Fritschle
Adjudication Section Manager
Idaho Department of Water Resources

Enclosures: Exceptions to Forfeiture for Mining Questionnaire – Section 42-223(11), Idaho Code
Copies of claim nos. 94-2071, 94-4003 and 94-4218

Exceptions to Forfeiture for Mining Questionnaire – Section 42-223(11), Idaho Code

This questionnaire should be used as a guide to provide evidence supporting an exception to forfeiture. Each answer will need to have corresponding documents and/or affidavits.

List the adjudication claim number(s) in which an exception to forfeiture under Section 42-223(11), Idaho Code is sought:

1) Enter the name of the mine or property in which the water claimed above was historically used. (All of the following questions will refer to the mine or property named below.)

2) When was the mining, mineral processing or milling at the mine or property suspended?

3) Described the reason(s) the mining, mineral processing or milling of minerals at the mine or property was suspended or the mine was closed?

4) Does the mine or property have one or more valuable minerals as defined in Section 47-1205, Idaho Code? If so, please list the mineral(s).

5) Please provide a history of the price of the mineral(s) at the mine or property?

6) Explain how the property and mineral rights have been maintained for future mineral production at the mine or property?

Please print name and title of person completing this questionnaire

Date

Signature of person completing this questionnaire

